

DRAFT ONLY

VILLAGE OF LONGVIEW

Bylaw No. 469-23 Animal Control Bylaw

Being a Bylaw of the Village of Longview, in the Province of Alberta, to provide for licensing, regulation and control of animals in the Village of Longview,

WHEREAS: Pursuant to the Municipal Government Act, R.S.A. 2000, c. M-26 and amendments thereto, Council may pass a Bylaw for the purpose of regulating and controlling wild and domestic animals and activities in relation to them;

AND WHEREAS: It is deemed necessary and expedient to pass a Bylaw to License, regulate and control animals;

AND WHEREAS: Bylaw No. 326-09 Dog Control and all amendments thereto are hereby repealed and shall cease to have effect on the day this Bylaw is adopted.

AND WHEREAS: The Village of Longview wants to proactively promote responsible pet ownership, promote food security and sovereignty:

PURSUANT TO AND UNDER AUTHORITY OF THE MUNICIPAL COUNCIL OF THE VILLAGE OF LONGVIEW, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

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SECTION 1 - TITLE

1.0 This Bylaw may be cited as the "Animal Control Bylaw"

SECTION 2 – DEFINITIONS

- a) **"Animal"**, for the purpose of this Bylaw, means a dog, and includes a cat or any other animal where such animal is specifically referred to in a particular section of this bylaw.
- b) **"Animal Control Officer"** (ACO) means any individual(s) designated and appointed, from time to time, by the Village of Longview for the purpose of administration and enforcement of this Bylaw, and at this time means one of the Village of Longview's contracted Peace Officers as designated by the Province of Alberta, appointed pursuant to the *Peace Officer Act, S.A. 2006, c P-3.5*, or a police officer under the *Police Act, R.S.A. 2000, c. P-17*. It is expected that Peace Officers acting as ACO's will become knowledgeable in the best practice interpretation and assessment of compliance with this Animal Control Bylaw.
- c) **"Animal daycare"** means a facility or premises for the purpose of providing care for animals in return for remuneration on a daily basis and does not include provision for overnight accommodation.
- d) **"Animal Fancier"** means a person that wishes to own four (4) or more animals.
- e) **"Animal Fancier and Adoption License"** means a License issued to an owner in accordance to Section 8 of this Bylaw.

- f) **“Animal shelter”** means premises designated by the Municipality used for the shelter, confinement and care of animals and includes premises supplied by an independent contractor, under contract with the Municipality to provide such premises.
- g) **“Animal at large”** means where an animal is found or observed on public property or at a property other than the owner’s property and the animal is not properly restrained.
- h) **“Bylaw violation tag”** means a ticket or similar document issued by the Village of Longview pursuant to the Municipal Government Act.
- i) **“Bee”** means the insect Apis Mellifera.
- j) **“Beehive”** means a box or receptacle with movable frames, used for housing a colony of bees.
- k) **“Colony”** means a queen, brood and accompanying adult bees.
- l) **“Cat”** means a member of the feline family.
- m)
- n) **“Controlled confinement”** means the confinement of an animal in a pen, cage or building or securely tethered in such a manner that ensures the animal is not harmed, and in a manner that will not allow the animal to bite, harm or harass any person or animal.
- o) **“Coop”** means a structure comprised of a henhouse and a run.
- p) **“Council”** means the Municipal Council of the Village of Longview.
- q) **“Damage to property”** means damage to property other than the owner’s property and includes defecating on property other than property that belongs to the owner.
- r) **“Dog”** means a member of the canine family.
- s) **“Dog Breeder”** means any person, firm or corporation which is engaged in the operation of breeding and raising dogs for the purpose of selling, trading, bartering, giving away or otherwise transferring same.
- t) **“Domestic Pet”** means any animal that has been tamed and made fit for a human environment, excluding wildlife.
- u) **“Feral animal”** means any animal that has reverted from the domestic state to a condition that more or less resembles a wild animal.
- v) **“Health Authority”** means the regional health authority established by the Minister of Health to provide health services to the Municipality.
- w) **“Hen”** for the purpose of this bylaw shall mean a female chicken.
- x) **“Henhouse”** means a structure that houses hens at night and includes a secure place for hens to lay eggs and eat.

- y) **“Kennel”** means any facility or premises where animals are maintained, boarded, trained, bred or cared for in return for remuneration and may include overnight accommodation.
- z) **“Kennel license”** means a temporary permit issued by the municipality to a person to harbor more than 3 animals for a maximum period to be determined by the Municipality.
- aa) **“Land Use Bylaw”** means the Village’s Land Use Bylaw and any amendments thereto.
- bb) **“Leash”** means a chain or other material capable of restraining a dog.
- cc) **“License tag”** means an identification tag issued by the Village showing the license number for a specific animal and is intended to be worn on a collar attached to the animal’s neck at all times.
- dd) **“License fee”** means the applicable annual fee payable to the Village in respect of a license for any particular animal as set out in Schedule “A” of this Bylaw.
- ee) **“Livestock”** means:
 - i. A horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep or goat;
 - ii. domestically reared or kept deer, reindeer, moose, elk, or bison;
 - iii. farm bred fur bearing animals, including foxes and minks;
 - iv. animals of the bovine species;
 - v. animals of the avian species including emus, ostriches, chickens, roosters, turkeys, ducks, geese, peacocks, peahens, pigeons or pheasants; and
 - vi. all other animals that are kept for agricultural purposes, but does not include dogs, cats or hens licensed in the Backyard Hens Program or other domesticated household pets;
 - vii. Domestic pigs.
- ff) **“Mature dog”** means a dog more than one (1) year old.
- gg) **“Municipality”** means the Village of Longview, or the geographical boundaries of the Village of Longview, whichever the context so requires.
- hh) **“Off-leash Park”** means an area formally designated as such by Village of Longview Council.
- ii) **“Order of the Court”** means an order issued by a court requiring a person to do or refrain from doing something.
- jj) **“Owner”** means:

- i. A person who has care, charge, custody, possession or control of an animal;
- ii. a person who owns or claims any proprietary interest in an animal;
- iii. a person who harbours, suffers or permits an animal to be present on any property owned, occupied or leased by him or which is otherwise under his control;
- iv. a person who claims and receives an animal from the custody of the animal shelter or an Animal Control Officer;
- v. a person to whom a license tag was issued for an animal in accordance with this Bylaw; or
- vi. a person who operates an animal adoption program and who has care, charge, custody, possession or control of an animal(s);

and for the purpose of this Bylaw an animal may have more than one (1) owner.

- kk) **“Owner’s property”** means any property in which the owner of an animal has legal or equitable interest, or over which the owner of an animal has been given the control or use of by the legal or equitable owner of the property, and which property shall include, without limiting the generality of the foregoing, land, buildings and vehicles.
- ll) **“Permitted leash”** means a leash adequate to control the animal to which it is attached and where said leash shall not exceed three (3) meters in length.
- mm) **“Permitted property”** means private property upon which the owner(s) of an animal has the expressed permission of the owner of that property to allow the owner(s) animal to be at large, thereon.
- nn) **“Person”** means an individual or a business entity including a firm, partnership, association, corporation or society.
- oo) **“Properly restrained”** means the animal is:
 - i. being carried by a person capable of restraining the size and strength of the particular animal;
 - ii. being confined in a kennel or like container, properly latched or locked; or
 - iii. being restrained by a person capable of restraining the size and strength of the particular animal by the means of a permitted leash attached to a choke chain, collar or harness attached to the animal.
- pp) **“Provincial Court” and “Court”** means The Provincial Court of Alberta and includes a judge or justice thereof, where the context so requires.

- qq) **“Public Space”** means any Village-owned property or asset, including green spaces, playgrounds, sport fields, roads and sidewalks.
- rr) **“Pullet”** means a female chicken less than 1 year old.
- ss) **“Rear Yard”** means the space from the furthest rear wall of the residence to the rear property line.
- tt) **“Rooster”** means a domestic male chicken.
- uu) **“Run”** means a securely enclosed area, attached to a henhouse, Permitting chickens to range freely within that space.
- vv) **“Running at large”** means
- i. an Animal or Animals which are not under the control of a Person responsible by means of a Leash and is or are actually upon property other than the property in respect of which the Owner of the Animal or Animals has the right of occupation, or upon any highway, thoroughfare, street, road, trail, avenue, parkway, lane, alley, square, bridge, causeway, trestleway, sidewalk (including the boulevard portion of the sidewalk), Park or other public place which has not been designated as an Off Leash Area, or.
 - II. an Animal or Animals which are under the control of a Person responsible by means of a Leash and which cause damage to Persons, property or other Animals;
- ww) **“Serious wound”** means any injury to a Person or Animal that requires Medical attention such as wounds requiring sutures, or other wound repair and closing, or surgery, disfiguring or scarring lacerations, broken bones, severe sprains, or any other similar serious injury, and any other injury as determined to be severe by a Court, board, or Village upon hearing the evidence.
- xx) **“Service Dog”** means a dog trained as a guide for a disabled person And having the qualifications prescribed by the Service Dog Act of Alberta, S.A. 2007 c.S-7.5 and includes a dog that is in training to become a service dog but does not include dogs that are no longer actively being used as a service dog.
- yy) **“Strict Liability Offences”** means the offender is guilty even if the offender did not mean to commit the crime or did not know they were committing a crime. See Section 25.0 d).
- zz) **“Summons”** means a call or citation by an authority to appear before a court or judicial officer.

- aaa) **“Under control”** means a dog that returns to its owner immediately when called or when commanded to do so, and that does not interfere with any other person or animal.
- bbb) **“Vicious dog”** means a dog, whatever its age, whether on public or private property, which has:
- i. chased, injured or bitten any other domestic animals or humans; or
 - ii. damaged or destroyed any public or private property; or
 - iii. clearly threatened, or created the reasonable apprehension of a serious threat to the safety of other domestic animals, or humans; and
 - iv. which in the opinion of a Judge or Justice of the Provincial Court, presents an unacceptable threat of serious harm to other domestic animals or humans; and includes any dog that has been previously declared to be a vicious dog by the Provincial Court, pursuant to a bylaw of another municipality.
- ccc) **“Village”** means the Municipal Corporation or administration of the Village of Longview, or the geographical boundaries of the Village of Longview, whichever the context so requires.
- ddd) **“Violation ticket”** means a ticket issued pursuant to Part 2 of the Provincial Offences Procedure Act, R.S.A. 2000, c-P-34, as amended, and Regulations thereunder.
- eee) **“Wildlife”** has the same meaning as that term is used in the *Wildlife Act R.S.A. 2000, c. W-10* and includes but is not limited to coyotes, cougars, bobcats, deer, moose, elk, wild rabbits, porcupines, beavers and skunks.

SECTION 3 - PURPOSE OF THE ANIMAL CONTROL BYLAW

3.0 This Bylaw is designed to promote safe and responsible pet ownership in the Village of Longview.

SECTION 4 - BASIC OWNER RESPONSIBILITIES

4.0 The owner of an animal shall ensure that such animal does not:

- a) bite a person, whether on the property of the owner or not;
- b) do any other act that causes injury to a person, whether on the property of the owner or not;
- c) chase or otherwise threaten a person, whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
- d) bite or bark at, or chase livestock, bicycles, automobiles, or other vehicles;
- e) bark or howl excessively or otherwise unreasonably disturb any person;
- f) cause damage to personal property, or injure/kill any other animal, or injure/kill any other domestic or wild mammal; or
- g) upset any waste receptacles or scatter the contents thereof either in or about a street, lane, or other public property or in or about premises not belonging to or in the possession of the owner of the animal;
- h) animals are not permitted on playground properties.

- 4.1
- a) no animal owner or person in care and/or control of an animal, shall allow, permit or cause an animal to be running at large;
 - b) every person that owns, possesses or is in care and/or control of an animal shall ensure that the animal has a valid and current animal license from the Village of Longview;
 - c) the owner of a female animal, which is in season, shall take all reasonable measures to keep the said animal at a location where the animal is not a source of attraction to other animals.
 - d) No Dog Breeders are allowed to operate within the Village, except as permitted by the *Land Use Bylaw*. All federal, provincial and municipal statutes, bylaws and regulations must be complied with.

SECTION 5 - COMMUNICABLE DISEASES

- 5.0 An owner of an animal which is suffering from a communicable disease shall:
- a) not permit the animal to be in any public place;
 - b) not keep the animal in contact with or in proximity to any other animal free of such disease;
 - c) keep the animal locked or tied up; and
 - d) immediately report the matter to the veterinarian inspector of the appropriate health of animal branch of the local office of the Federal and/or Provincial Department of Agriculture, and designated Village of Longview Peace Officer or his/her designate of the Village.

SECTION 6 - LICENSING REQUIREMENTS

6.1 Every person who is the owner of an animal which is six (6) months of age or older shall apply for a license tag for that animal by submitting an application to the Municipality and, if the application is approved, by paying the applicable license fee as set out in Schedule "A" of this Bylaw. The owner shall pay the license fee by January 31st of each year.

6.2 After January 31st of each year an owner that:

- i. has an animal that reaches the age of six (6) months on a date after January 31st, or
 - ii. takes possession of an animal six (6) months of age or older on any date after January 31st, or
 - i. owns an animal six (6) months of age or older takes up residence in the Municipality on any date after January 31st
- shall apply for the license within seven (7) business days of the subject above-noted date.

6.3 It is an offence under this Bylaw to be the owner of an animal which is unlicensed, where the animal is required to be licensed pursuant to this Bylaw.

6.4 An owner shall provide, with each application for a license, all the information as may be required by the Municipality or the Animal Control Officer or his/her designate.

6.5 No person applying for a license shall provide the Municipality or an Animal Control Officer or his/her designate, with false or misleading information with respect to the subject animal.

6.6 If the application is approved and the required license fee is paid, the owner will be supplied with a license tag, which shall have a number, registered to that animal.

6.7 An owner must purchase a license tag or a temporary license tag as appropriate. An owner shall ensure that the license tag is securely fastened to a choke chain, collar or harness worn by the animal and the license tag must be worn by the animal at all times while on public property.

6.8 Every license shall expire on December 31st in the year in which it was issued, unless otherwise authorized by the Chief Administrative Officer. In the event of a public health emergency or other event the CAO has the ability to extend the time frame to meet the needs of the village.

6.9 A license issued under this bylaw shall not be transferable from one animal to another animal, nor from one owner to another owner:

6.10 No person is entitled to a refund or a rebate for any license fee.

6.11 The Animal Control Officer or his/her designate may revoke a license if:

- i. the license was issued on the basis of incorrect information or misrepresentation by the applicant;
- ii. the license was issued in error; or
- iii. the owner contravenes any provision of this Bylaw or of the Dangerous Dogs Act of Alberta.

6.12 Any person who, by reason of special needs, owns and uses an animal trained to assist that person shall, upon proof, be exempt from license fees.

6.13 The licensing provisions of this Bylaw shall not apply to animals accompanying a person temporarily in the Municipality for a period not exceeding three (3) weeks or when the Animal Control Officer is satisfied that the animal is trained and used to assist a person with a disability.

6.14 An animal owner may have a lost tag replaced by presenting proof of the original purchase and paying a replacement fee in accordance with Schedule "A" of this Bylaw.

6.15 No person, without consent of the owner of an animal, shall remove any collar or license from an animal.

6.16 The fees for animal licenses, animal fancier and adoption licenses, kennel licenses and animal shelters are set out in Schedule "A" of this Bylaw, and may be amended from time to time by resolution of Council.

6.17 The Animal Control Officer may review certain applications for licenses, and from time to time may request the Development Officer to review certain license applications, to ensure no part of the Land Use Bylaw is contravened. The Village may then issue a license to the applicant, once the owner has submitted the fee, completed the application form, including the name of the owner, the address of the owner and the type and breed of the animal being licensed. Notwithstanding the foregoing, the Animal Control Officer or the Municipality may refuse to issue a license, where a reasonable belief exists that issuing the license will exceed the maximum number of animals permitted on a property, as set out in Section 7A.2 of this Bylaw.

SECTION 7A - ANIMAL OWNERSHIP REQUIREMENTS

7A.1 An owner of an animal:

- i. must ensure that the animal has adequate food and water;
- ii. must provide the animal with adequate care when the animal is ill or wounded;
- iii. must provide the animal with reasonable protection from injurious heat or cold, including when contained within a vehicle; and
- iv. must provide the animal with adequate shelter, ventilation and space and must provide the animal opportunity for periodic exercise sufficient to maintain good health, including the opportunity to be unfettered from a fixed area and to be exercised regularly under appropriate control.
- v. Dog owners have the option to submit to the Village of Longview Administration
a picture of the dog or cat, to avert possible loss of life of the dog or cat if they
were to be sent to the animal shelter.

7A.2 in the Backyard Hens Program, the maximum number of hens permitted is six (6). No person shall keep or have more than 4 dogs and no more than 4 of each other type of domesticated animal on any property located within the Municipality
except as follows:

- i. The animals in excess of 4 are under the age of six (6) months; or
- ii. the owner holds an approved kennel license or animal fancier and adoption license issued pursuant to this Bylaw; and
- iii. the owner has all the required Municipal and Provincial approvals to operate:
 - a. a pet store/animal grooming business;
 - b. a veterinary clinic or animal hospital;
 - c. an animal daycare; or
 - d. a kennel.

7A.3 Notwithstanding Section 4.1(a) of this Bylaw, an owner of an animal is not required to have the animal on a permitted leash in a park or portion of a park which has been designated as an “Off Leash Park” by the Municipality, provided that:

- i. the animal is not a Vicious animal; and
- ii. the owner of the animal ensures that such animal is under control at all times.

7A.4 The Animal Control Officer or his/her delegate or the Court shall consider the following factors when determining whether an animal is under sufficient control in an off-leash park:

- i. whether the animal is at such a distance from its owner so as to be incapable of responding to voice, sound or sight commands;
- ii. whether the animal has responded to voice, sound or sight commands from the owner;
- iii. whether the animal has bitten, attacked or done any act that injured a person or another animal;
- iv. whether the animal has chased or otherwise threatened a person;
or
- v. whether the animal caused damage to property.

7A.5 Nothing in this Section relieves an owner or person from complying with any other provisions of this Bylaw.

7A.6 An owner shall not permit an animal to cause damage to public or private property within the Municipality.

- 7A.7 An owner shall not permit an animal in an area where the Municipality has posted a sign which prohibits the presence of animals, regardless of whether or not such animal is at large.
- 7A.8 The owner of an animal which defecates on property, which is not the owner's property, shall remove such defecated matter immediately and dispose of it in a sanitary manner.
- 7A.9 No person shall tease, torment, annoy, abuse or injure any animal.
- 7A.10 No person shall untie, loosen, or otherwise free an animal which is not in distress unless such person has the authorization of the owner.
- 7A.11 No person shall interfere with, hinder or impede an Animal Control Officer or Peace Officer in the performance of any duty authorized by this Bylaw or provide information to an Animal Control Officer or Peace Officer with the intention to deceive or obstruct the Officer in the performance of his duty so authorized by this Bylaw.
- 7A.12 Persons disposing of animal waste shall deposit the waste in a private or municipal disposal container and shall secure the waste/feces in a single plastic bag that will contain the waste/feces and this shall be sealed so as not to permit any drainage of liquid or spillage of solid matter.
- 7A.13 The owner of an animal or animals shall not allow the odour of animal feces on his/her property, or property within his/her care or control, to disturb, annoy or interfere with the enjoyment of neighbouring property by other persons.
- 7A.14 An Owner must not allow a Dog to be transported in the back of a pickup Truck while driving on highways or roads, as this creates a safety issue for the dog and a public safety risk if a dog falls out of a vehicle into traffic.
- 7A.15 An Owner must not allow a Dog to be outside of the passenger cab of a motor vehicle while transporting on a roadway, regardless of whether the motor vehicle is moving or parked.
- 7A.16 Notwithstanding Section 7A.15, an Owner may allow a Dog to be outside the passenger cab of a motor vehicle, including riding in the back

of a pickup truck or flat bed truck if the Dog is:

- in a fully enclosed trailer;
- in a topper enclosing the bed area of a truck; or
- contained in a ventilated kennel or similar device securely fastened to the bed of the truck.

7A.17 The owner of a vehicle involved in an offence referred to in this section is guilty of the offence, unless that vehicle owner satisfies the Court that the vehicle was:

- not being driven or was not parked by the vehicle's owner; and
- that the Person driving or parking the vehicle at the time of the offence did so without the vehicle owner's express or implied consent.

SECTION 7B - BACKYARD HENS PROGRAM – OWNERSHIP REQUIREMENTS

- (a) An applicant in the Backyard Hen Program must be 18 years of age or older.
- (b) A person must not keep hens unless registered in the Backyard Hen Program.
- (c) An application, including the first annual licensing fee, must first be submitted and approved by the Village.
- (d) An applicant must read and adhere to **Schedule "D": Backyard Hens Program Rules and Best Practices**, attached to this bylaw.
- (e) Backyard Hen licensing fees are annually renewable and must be paid by January 31st of each year. In the event of a public health emergency or other event the CAO has the authority to extend the time frame to meet the needs of the village.
- (f) Participant Compliance in Backyard Hens Program:
 1. If a complaint is registered with the Village or an Animal Control Officer he or she may attend the residence of a participant at their

- own discretion; an appointment will not be required.
2. Participants must not exceed the keeping of six (6) hens.
 3. Participants must keep the coop in good repair and in a sanitary condition.
 4. Proper care and feeding practices must be followed to ensure the well-being of the hens.
 5. Keeping hens when not registered in the program is prohibited.
 6. The slaughter of or attempt to euthanize hens within Village limits is prohibited.
 7. Hens must not be permitted to run at large.
- (g) A person must not keep a Rooster in the Village of Longview.
- (h) New hen owners are to attend hen care training within the first year of hen ownership. Contact AFAC, Alberta Farm Animal Care, info@afac.ab.ca 403-652-5111 and www.afac.ab.ca.

SECTION 8 - ANIMAL FANCIER, ADOPTION LICENSE AND TEMPORARY LICENSE

- 8.0 The maximum number of animals that reside on a property shall be restricted to four (4) over the age of (6) months of age, except in the case where an owner possesses a valid Animal Fancier and Adoption License. The maximum number of animals allowed on property, the owner of which holds a valid Animal Fancier and Adoption License, shall be restricted to the maximum of five (5) animals, or a lesser number of animals if so deemed suitable for the property by the Health Authority. In order to possess a fifth animal in a residence the applicant must have a valid Fancier and Adoption License for that individual animal and have filled out and submitted an application form.
- a) An owner wishing to operate under the authority of an Animal Fancier and Adoption License must apply annually by January 31st for an Animal Fancier and Adoption License, and shall submit an application to the Village of Longview. The applicant must be approved and receive the license prior to owning or harbouring or caring for any animals in excess of the normal maximum number allowed by this Bylaw.
 - b) No holder of an Animal Fancier and Adoption License may harbour more than five (5) animals on the owner's property, excepting where a temporary license has been issued by the Village of Longview pursuant to Section 9.
 - c) An owner must ensure that any animals in his care are provided with the care as required by Section 7A and 7B of this Bylaw.

- d) An application for an Animal Fancier and Adoption License shall include:
- i. a non-refundable processing fee of \$100.00;
 - ii. name, address and telephone number of the applicant;
 - iii. the address at which the animals shall be kept, if different from that of the applicant;
 - iv. written approval from the legal owner of the property where the animals are to be kept, if the applicant is not the legal owner of the subject property;
 - v. the purpose of keeping the animals;
 - vi. the breed and sex of the animals to be kept;
 - vii. the type of facilities the animals are to be housed within;
 - viii. the methods and steps that will be taken by the applicant to minimize any noise and/or nuisance to the neighbourhood; and
 - ix. written documentation sent to the occupants of the properties adjacent to the property where the animals are to be kept, which must include any concerns or objections to the issuance of the applicant's license, subject to verification by the Municipality.
 - x. a review of the application will be conducted by the Village of Longview Animal Control Officer or his/her designate and the Planning and Development Officer.
 - xi. once the application is approved, the applicant is responsible for the payment of the fee prescribed by this Bylaw.
 - xii. the final payment of the fee prescribed by Schedule A of this Bylaw, less the \$100 processing fee.
- e) The Animal Control Officer may hold any application until deficiencies with respect to any of the items required under Section 8(d) are corrected. The application will be rejected after 30 days if the deficiencies are not corrected and a re-application must be made when the deficiencies are corrected.
- f) The Animal Fancier and Adoption License shall be issued upon approval and the payment of the fee specified in Schedule "A" of this Bylaw. Each animal owned under an Animal Fancier and Adoption License shall be separately licensed pursuant to Section 6 of this Bylaw.

- g) Any holder of an Animal Fancier and Adoption License shall not permit or allow any of the animals being harboured or kept pursuant to the license to be in contravention of any section of this Bylaw except 7A.2.
- h) A Animal Control Officer or his/her designate may suspend or revoke an Animal Fancier and Adoption License if, in the opinion of an Animal Control Officer, the noise and/or nuisance and/or other contraventions of this Bylaw created by the keeping of the subject animals are disturbing the peace of the neighbourhood or are causing a nuisance, provided that the subject complaints are recorded and documented.
- i) The applicant/owner may appeal a refusal, suspension or a revocation of a license by the Animal Control Officer or his/her designate, to Village of Longview Council, provided that such appeal is submitted in writing to the Chief Administrative Officer within fourteen (14) days of the date of the subject Animal Control officers' Decision. In the event of an appeal, Council shall set a date for the hearing of the appeal not later than thirty (30) days after the receipt of the Notice of Appeal.

SECTION 9 - TEMPORARY LICENSES

- 9.0
- a) A resident may purchase a temporary animal license in the event they are temporarily caring for an animal for a specified length of time. This temporary license shall not exceed a period of thirty (30) days from the date of purchase.
 - b) This temporary license may not be renewed on more than two (2) occasions, per calendar year, per resident.
 - c) Any holder of a temporary license is bound by all provisions of this Bylaw, and may have the license cancelled at any time, based on the seriousness of a contravention of this Bylaw.

SECTION 10 - CONTROLLED CONFINEMENT AND SERIOUS WOUNDS

- 10.0
- a) Where an animal bite results in a serious wound being inflicted; the owner shall promptly report the incident to an Animal Control Officer, who shall report the incident to the Health Inspector of the Health Authority unless, at the officer's discretion, proper vaccination records can be obtained.

The Health Inspector will advise the owner of the quarantine procedure. The Animal Control Officer or the owner shall keep the animal in controlled confinement until the Health Inspector has authorized the release of the animal from controlled confinement.

The decision to release the animal to the owner from controlled confinement is at the discretion of the Animal Control officer or his/her designate, who takes into account the risk to public safety, the severity of the injury caused by the animal, and the issue of liability should the animal be released back into the custody of the owner.

- b) An Animal Control Officer may issue a Court Appearance Violation Ticket or a Summons requiring the owner of an animal alleged to have caused a serious wound to appear before the Provincial Court, if the officer believes it to be in the public interest. Upon application by the prosecutor, or upon the Court's own motion, the owner may be ordered by the Court, if the Court considers it is necessary to ensure the safety of humans and other animals, that pending the final disposition of the charges, the owner must:
 - i. keep the animal in an enclosed and secured pen while outside on the owner's property;
 - ii. keep the animal muzzled and restrained by a leash when the animal is off the owners property;
 - iii. post warning signs that a dangerous animal resides on the premises, on every entrance way to the subject property; or
 - iv. have the animal euthanized by a veterinarian and produce a document to the Animal Control Officer stating this was done.
- c) The owner of an animal that fails to comply with a Remedial/Order of the Provincial Court, issued pursuant to Section 10.0(b) of this Bylaw, is guilty of an offence and liable to a fine of up to \$500.00 per day for each day of non-compliance.
- d) Where there is repeated or continuous non-compliance with such a Court Order, the Animal Control Officer is hereby authorized to attend the property where the subject animal is kept and seize and impound the subject animal, pending the further determination by the Court of the matter.
- e) Upon demand made by the Animal Control Officer, the owner shall forthwith surrender for quarantine any animal which has inflicted an animal bite on any person or any animal which the Animal Control Officer has reasonable and probable grounds to suspect of having been exposed to rabies.
- f) The animal may be reclaimed by the owner if:
 - i. the subject animal is adjudged free of rabies; and

- ii. upon payment of the subject confinement expenses; and
- iii. upon compliance with the licensing provisions of this Bylaw.

SECTION 11 - OWNER FAILS TO COMPLY WITH CONDITIONS

- 11.0 a) An Animal Control Officer may place specific conditions on an owner of an animal following a contravention of this Bylaw, or following the animals actions that occurred on or within private property. Upon the issuance of these conditions, the owner will be advised in writing, of the specific conditions that must be adhered to, should the owner wish to keep the animal within the Village of Longview.
- b) The issuance of any conditions shall be based on the following:
- i. the severity of the contravention of this Bylaw;
 - ii. the threat to public safety; and
 - iii. the actions taken by the Village, if any, to remedy any previous contravention of this Bylaw.
- c) Should an owner of an animal fail to comply with any conditions of ownership imposed pursuant to this section, the owner is guilty of an offence under this Bylaw, and shall be liable to:
- i. a fine in accordance with the provisions of Schedule “B” or Section 23 of this Bylaw;
 - ii. seizure of the animal, at the owner’s expense, until the Animal Control Officer is satisfied that all ownership conditions have been met by the owner; and/or
 - iii. an Order of the Court to remove the animal from the Village of Longview..
- d) Should the owner of an animal that was declared to be “Vicious” by the Court fail to comply with the conditions ordered by the Court, the owner is guilty of an offence under this Bylaw, and shall be liable to:
- i. fine in accordance with the provisions of Schedule “B” or Section 23 of this Bylaw;
 - .ii seizure of the animal, at the owner’s expense, until the Animal Control Officer is satisfied that all the ownership conditions have been met by the owner; and/or

- .iii an Order of the Court that the animal be removed from the Village of Longview.

SECTION 12 REMOVED.

SECTION 13 - VICIOUS DOGS

- 13.1 Upon application, if it appears to the Court that the dog should be declared to be a vicious dog, the Court shall make an order in a summary way declaring the dog to be a vicious dog.
- 13.2 A Vicious Animal designation continues to apply if the Animal is sold, given Away or transferred to a new Owner.
- 13.3 An Owner must disclose that an Animal has been designated a Vicious Animal when selling, giving away, or transferring that Animal to a new Owner.
- 13.4 An Owner must disclose a Vicious Animal designation to any Person the Owner asks to take temporary care and control of the Animal, such as dogwalkers, groomers, kennel operators, and veterinarians.
- 13.5 Nothing in this Bylaw precludes an Animal Control Officer from applying for a Vicious Animal to be destroyed pursuant to the *Dangerous Dogs Act, R.S.A. 2000, c. D-3*.
- 13.6 The owner of a vicious dog shall ensure that such dog does not:
 - (i) chase a person;
 - (ii) injure a person;
 - (iii) bite a person;
 - (iv) chase other domestic animals;
 - (v) injure or bite other domestic animals; and
 - (vi) damage or destroy public or private property.
- 13.7 That when such dog is on the property of the owner:
 - a. the dog is confined indoors and under the control of a person over the age of eighteen (18) years; or
 - b. when the dog is outdoors, it is in a locked pen or other structure constructed in accordance with the provisions of this section to prevent the escape of the dog and capable of preventing the entry

of any person not in control of the dog or

- c. the dog is kept in accordance with the provisions of Section 13.8 while such dog is on the property of the owner and outdoors; and
 - d. 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 embedded in the ground to a minimum depth of thirty (30) centimetres; and
 - e. 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 a half (1.5) metres by three (3) metres and be a minimum one and a half (1.5) metres in height; and
 - f. 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.
- 13.8 The owner of a vicious dog shall, at all times when off the property of the owner, including off-leash parks, ensure such dog is securely:
- a. muzzled; and
 - b. harnessed or leashed on a lead which length shall not exceed one (1) metre in a manner that prevents it from chasing, injuring or biting other domestic animals or humans, as well as preventing damage to public or private property; and
 - c. under the control of a person over the age of eighteen (18) years, that is physically capable of controlling and restraining the dog.
- 13.9 The owner of a vicious dog shall ensure that such dog is not running at large.
- 13.10 The owner of a vicious dog must, at every entrance way to the property where the vicious dog is kept, clearly post warning signs that a vicious dog resides on the premises.
- 13.11 The owner of a vicious dog shall:
- a) be over the age of eighteen (18) years;
 - b) make application for a vicious dog licence on or before the second day on which the Village Office is open for business after the dog has been declared as vicious;
 - c) thereafter obtain the annual licence for the vicious dog on such day specified in Section 6 of this bylaw;

- d) notify the Animal Control Officer should the dog be sold, gifted, transferred or deceased;
 - e) remain liable for the actions of the dog until formal notification of sale, gift or transfer is given to the Animal Control Officer; and
 - f) notify the Animal Control Officer if the dog is running at large.
- 13.12 The owner of a vicious dog shall ensure that the dog wears the current licence tag purchased for that dog, when the dog is off the owner's property.
- 13.13 The owner of a vicious dog shall within three (3) days after the dog has been declared vicious have a licensed veterinarian tattoo or implant an electronic identification microchip in the animal and provide the copy of the information contained thereon to the Animal Control Officer in order that a licence can be issued pursuant to Section 6 of this bylaw.
- 13.14 The owner of any dog alleged to be vicious shall be provided notice of the hearing for the said determination by the Provincial Court at least ten (10) clear days before the date of the hearing.
- 13.15 The Owner must obtain at least \$500,000 third party bodily harm, liability insurance coverage with respect to the Vicious Animal.

SECTION 14 - ANIMAL CONTROL AUTHORITY

- 14.0 a) An Animal Control Officer or his/her designate, may capture and impound any animal:
- i) which is observed or found running at large; or
 - ii) which is required to be impounded pursuant to the provisions of any Statute of Canada or of the Province of Alberta, or any regulation made hereunder.
- b) An Animal Control Officer or his/her designate, may enter onto the land surrounding any building in pursuit of any animal which has been observed running at large and may take such reasonable measures as necessary to subdue any animal which is at large, including the use of tranquilizer equipment and other capture devices.
- c) Animal Control Officers, in consultation with the Village Council and the Development and Planning Officer, may designate areas where dogs are permitted to run when off leash, and may designate areas where

organized and controlled canine events may be held by causing signs to be posted in such areas indicating such designations.

SECTION 15 - IMPOUNDMENT OF ANIMALS

- 15.0 a) No unauthorized person shall remove or attempt to remove from an animal shelter any animal impounded therein.
- b) No unauthorized person shall break open or assist in any manner, either directly or indirectly, in breaking open any animal shelter established by the Municipality under the provisions of this Bylaw.
- c) The Village may require the purchase of a valid animal license prior to the release of an animal.

SECTION 16 - ANIMAL SHELTER OPERATIONS

- 16.0 a) The Municipality will determine the hours of operation for the municipal animal shelter, in order to facilitate the claiming of animals. These hours will attempt to accommodate the public or authorized agencies, however may vary depending on operational demands and the availability of the Animal Control Officer or his/her designate.
- a) The owner will be responsible for any impoundment fees including those that may accrue on Sundays and/or Statutory holidays. In addition, the Village reserves the right to double any impound fees for those owners, whose animal or animals had been impounded on more than one occasion, within a calendar year.
- b) If an owner is to claim an animal from the shelter, all applicable fees as set out in Schedule "A" must be paid at the Village Office prior to claiming the animal. The Village Office will accept the following for payment:
- i. cash;
 - ii. cheque; or
 - iii. debit card;
 - iv. credit card.
- c) The Animal Control Officer or his/her designate will make a reasonable attempt to contact the owner of an impounded animal. However, should the animal remain unclaimed at the conclusion of a seventy-two (72) hour period and the animal has been released to the S.P.C.A. or any other animal welfare or adoption organization, the Municipality is no longer

responsible for that animal or that organization's actions regarding that animal.

SECTION 17 - BEEKEEPING

17. a). An owner or occupier is permitted to keep bees on their property
- b). Owner or property must comply with the Alberta Bee Act, and any other applicable standards adopted by the Province of Alberta
- c). Bee keepers or persons on whose property bees are kept have a duty to take reasonable measures to ensure that:
 - i). The apicultural operation does not pose a safety risk to persons on an adjacent public or private property.
 - ii). The potential for damage to buildings and or property located on adjacent public or private property is minimized
- d). Any person who keeps bees has the duty to ensure the maintenance of the bees in such conditions as will reasonably prevent aggressive behaviour or swarming.
- e). Beekeepers require yearly license
- f). Beekeeping for personal use only
- g). Maximum number of hives is two (2)
- h). Must register with Alberta Agriculture, through the Provincial Apiculturist for Alberta
- i). Liability insurance required and be produced upon demand by a Bylaw Enforcement Officer
- j). Within Village boundaries approved license requires and renewed yearly
- k). Each beekeeper must complete beekeeping course from accepted organization/association
- l). Immediate neighbours must be notified by applicant in advance that hives are present
- m). Take appropriate steps to ensure bear proofing of hives

SECTION 18 - OWNERSHIP OF LIVESTOCK

- 18.0 a) Livestock is only permitted on lands compliant with all sections set forth in the Villages Land Use Bylaw or by the Chief Administrative Officer.
- b) This Section does not apply to any livestock that is to appear that day, in a municipally sanctioned event or parade.
- c) The Village reserves the right to allow livestock in Village, only by order of the Chief Administrative Officer or by his or her designate.
- d) The owners of livestock temporarily entering the Village of Longview must obtain all necessary Municipal and Provincial permits.
- e) The owners of any livestock temporarily entering the Village must hygienically dispose of any feces in accordance with the *Environmental Protection and Enhancement Act, RSA 2000*, or as amended from time to time.
- f) A person must not keep livestock in any area of the Village. Bees are considered Livestock. Residents may keep bees as per Section 17 above. Owners must register the Bees, see:
<https://formsmgmt.gov.ab.ca/Public/APC12169.xdp>

SECTION 19 - OBSTRUCTION

- 19.0 No person, whether or not he/she is the owner of an animal which is being or has been pursued or captured, shall:
- (a) Interfere with or attempt to obstruct an Animal Control Officer, attempting to capture or who has captured an animal which is subject to being impounded pursuant to the provisions of the Bylaw.
- (b) Induce the animal to enter a house or other place where it may be safe from capture or otherwise assist the animal to escape capture.
- (c) Falsely represent themselves as being in charge or control of an animal so as to establish that the animal is not running at large.
- (d) Unlock or unlatch or otherwise open the vehicle used in controlling or transporting the said animal so as to allow or attempt to allow any animal to escape therefrom.

SECTION 20 - VIOLATION TAGS AND PENALTIES IN LIEU OF PROSECUTION

- 20.0 a) Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a penalty in lieu of prosecution, as set out in Schedule "B" of this Bylaw.
- b) Where an Animal Control Officer reasonably believes that a person has contravened any provision of this Bylaw, he may serve upon such person a Violation Tag as provided by this Section, either personally on the person or by leaving it for the person at his/her residence with a person on the premises who appears to be at least eighteen (18) years of age, or by regular mail and such service shall be deemed adequate for the purpose of this Bylaw.
- c) A Violation Tag shall be in such a form as determined by the Municipality and shall state the Section of the Bylaw which was contravened and the amount of the penalty as provided for in Schedule "B" of this Bylaw that will be accepted by the Municipality in lieu of prosecution.
- d) Contained on Schedule "B", Column "A" identifies the minimum fine specified for that offence under this Bylaw by the Municipality. Column "B" identifies the maximum fine amount specified for that offence under this Bylaw, by the Municipality.
- e) The Municipality, in lieu of issuing the maximum fine for a specific offence under this Bylaw, may compel the owner to court, and the fine determined by the Provincial Court of Alberta.
- f) Notwithstanding Section 20.0 (c) of this Bylaw, any person who commits the same offence twice or more times within a one (1) year period is liable to a penalty in lieu of prosecution which doubles the penalty amount set out in Schedule "B" of this Bylaw.
- g) Notwithstanding the provisions of this Section, a person to whom a Violation Tag has been issued may exercise his/her right to defend any alleged violation of any provision of this Bylaw.

SECTION 21 - MISCELLANEOUS

- 21.0 a) This Bylaw shall not apply to animals kept inside any veterinary clinic for the purpose of receiving medical attention, or being securely transported within a motor vehicle to or from a veterinary clinic.
- b) An animal owner or license applicant is responsible for and is not excused from ascertaining and complying with the requirements of any Federal,

Provincial or other Municipal legislation, including the Municipality's Land Use Bylaw. Where the keeping of the animals would not comply with any Federal, Provincial or other Municipal legislation, the Animal Control Officer may refuse to issue or may revoke a license.

- c) No person shall bait, feed, or take any actions that may attract feral or wild animals, whether on private or public property, excepting the use of bird feeders, which is allowed on the condition that they are set out at a height that is only accessible to birds.
- d) No owner shall abandon an animal by failing to claim the animal at a veterinary clinic, a licensed animal care organization or the Municipal shelter.
- e) No owner, tenant, or occupant of a property, whether public or private, shall permit or allow any deceased animal to be visible to the public, or allow it to decompose and become a possible risk to public health, a nuisance, or an interference with the peaceful enjoyment of private or public property by others.

SECTION 22 - ADOPTION OR DESTRUCTION

- 22.0 a) Any veterinary surgeon, being properly and fully qualified as required by the Province of Alberta, may destroy any animal delivered to the veterinarian after injury to the animal, providing the said injury is determined by the veterinarian to be of such serious nature, based upon his or her professional opinion, that the animal must be destroyed immediately. Such costs of destruction may be billed to the Village, and the Village is at liberty to take all steps considered necessary to recover such costs from the owner of the animal.
- b) The costs of the humane destruction of an animal, whether such destruction is ordered by the Court or is consented to by the animal's owner or the owner's designate, is solely the responsibility of the owner or the owner's designate.
 - c) Apprehended animals will be retained in the animal shelter for 72 hours (including weekends and holidays), unless the owner of the animal reclaims the animal or makes satisfactory arrangements with the Village for the further retention of the animal. In the event the 72-hour holding period has expired and the owner has failed to make arrangements to extend the impound period, the Village will make every effort to transfer custody of the animal to a "no-kill" facility or animal adoption agency.

- e) The Animal Control Officer or his/her designate may retain an animal for a longer period than provided for in subsection (c), if in his opinion the circumstances warrant the expense.
- f) The adopting recipient of an animal from the animal shelter, pursuant to the provisions of this Section, shall obtain full right and title to it, and the right and title of the former owner shall cease thereupon.
- g) All or any monies received for licensing, impoundment fees, veterinary services or sale of an animal become part of the general revenue of the Village and shall be deposited at the Municipal Office.

SECTION 23 - GENERAL PENALTY SECTION

- 23.0 a) 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 (\$10,000.00) DOLLARS and not less than SEVENTY-FIVE (\$75.00) DOLLARS and in default of payment is liable to imprisonment for a term not exceeding ONE(1) YEAR.
- b) Notwithstanding Section 23.0 of this Bylaw, the minimum fine on summary conviction in respect to a contravention of Section 13 of this Bylaw (Vicious Dogs) shall be THREE HUNDRED FIFTY (\$350.00) DOLLARS.
- c) The levying and payment of any penalty, or the imprisonment for any period as provided for in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs for which that person is liable under the provisions of this Bylaw.
- d) Upon convicting a person of an offence under this Bylaw, a Provincial Court Judge or Justice, in addition to the penalties provided for in this Bylaw may, if the offence is considered to be sufficiently serious, direct or order the person convicted of the offence to:
- i. take specific measures to stop the animal from doing the subject mischief or causing the disturbance or nuisance complained of;
 - ii. have the animal removed from the Village of Longview; or
 - iii. have the animal humanely destroyed.
- e) A provincial court judge or justice, after entering a conviction against the owner of the dog for an offence under this Bylaw may, in addition to any other penalties imposed or orders made, and without further notice or hearing, declare the subject dog to be a vicious dog as defined by this Bylaw.

SECTION 24 - ENFORCEMENT PROCEDURES AND SPECIFIED PENALTIES

24.0 Where an Animal Control Officer believes that a person has contravened any provision of this Bylaw, he may serve upon such person a Violation Ticket in accordance with Part 2 of the *Provincial Offences Procedure Act, R.S.A. 2000, c.P-34*. The Violation Ticket will indicate the specified penalty payable in respect of the offence, or may require the accused to make a court appearance, where the issuing Officer believes it is in the public interest to require same.

- a) The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount provided for in Schedule "B" of this Bylaw in respect of that provision.
- b) Where any person contravenes the same provision of this Bylaw twice within one TWELVE (12) month period, the specified penalty payable in respect of the second such contravention shall be double the amount provided for in Schedule "B" of this Bylaw.
- c) Where any person contravenes the same provision of this Bylaw three times within one TWELVE (12) month period, the specified penalty payable in respect of the third such contravention shall be triple the amount provided for in Schedule "B" of this Bylaw.
- d) Where any person contravenes the same provision of this Bylaw four or more times within an EIGHTEEN (18) month period, the penalty payable in respect of the fourth or subsequent such contravention shall be determined by a Provincial Court Justice, and shall not be less than three times the amount provided for in Schedule "B" of this Bylaw.
- e) A person who has been issued a Bylaw Violation Tag, pursuant to Section 20 of this Bylaw, in respect of a contravention of a provision of this Bylaw, and who has fully paid the penalty as indicated to the Village within the time allowed for payment, shall not be liable to prosecution for the subject contravention.

SECTION 25 - GENERAL AND COMING INTO FORCE

- 25.0
- a) Whenever the singular and female gender is used in this Bylaw, the same shall include the plural, masculine and neutral gender whenever the context so requires.
 - b) The Village is not required to enforce this Bylaw. In determining whether to enforce this Bylaw, the Village may take into account any practical concerns, including the available budget and personnel resources.

- c) No action for damages shall be taken or allowed against the Village or any person acting in good faith under the authority of this Bylaw in respect of the destruction, sale or other disposal of any animal impounded pursuant to this Bylaw.
- d) It is the intention of the Council of the Village of Longview that all offences created pursuant to this Bylaw be construed and considered as being Strict Liability Offences.
- e) It is the intention of the Council of the Village of Longview that each section of this Bylaw should be considered as being separate and severable from all other sections. Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall be effective and enforceable.
- f) Nothing in this bylaw relieves any person from compliance with any other bylaw or any applicable federal or provincial law, regulation or enactment.
- g) The CAO may delegate any of the powers granted to the CAO in this Bylaw at any time to any other employee of the Village.

SECTION 26 - TRANSITIONAL

- 26.1 In cases where Village of Longview residents are in possession of hens in excess of the maximum allowed per the proposed new Animal Control Bylaw 469-23, hen owners must be in compliance with the maximum allowed hens within 8 years from the date of adoption of this new Bylaw.

Upon passing this bylaw coops and all other aspects of the Backyard Hen Program must be in compliance with this Bylaw. Hen related facilities already in place before passing of this Bylaw may remain intact if they are already in compliance with the current Land Use Bylaw.

**PLEASE NOTE. THIS BYLAW IS DRAFT
ONLY – NOT YET ADOPTED, TO BE
DISCUSSED IN PUBLIC FORUM BEFORE
GOING TO THIRD READING.**

This Bylaw shall come into effect upon third reading.

READ A FIRST TIME this _____ day of _____ 2024

Mayor

Chief Administrative Officer

READ A SECOND TIME this _____ day of _____ 2024

Mayor

Chief Administrative Officer

READ A THIRD AND FINAL TIME this _____ day of _____ 2024

Mayor

Chief Administrative Officer

DRAFT
Village of Longview
ANIMAL CONTROL BYLAW 469-23
SCHEDULE "A": FEES

Animal Note: Dog licences refers to animals over the age of 6 months	Annual Fee	
	January 1-31 or New Resident or New Dog Rate	Feb 1–Dec 31

First Dog per residence:		
Spayed/Neutered (altered) and tattoo/chipped	\$15.00	\$30.00
Spayed/Neutered (altered)	\$20.00	\$40.00
Unspayed/Unaltered (includes if tattoo/Chipped)	\$40.00	\$80.00
Second and Third Dog per residence:		
Spayed/Neutered(altered) and tattoo/Chipped	\$15.00	\$35.00
Spayed/Neutered(altered)	\$25.00	\$45.00
Unspayed/Unaltered	\$60.00	\$85.00

Animal Fancier and Adoption License (restricted to the maximum of four (5) animals)		
Spayed/Neutered (altered)	\$200.00	\$350.00
Unspayed/Unaltered	\$250.00	\$400.00
Seeing Eye/Guide Dog	Fee exempt	Fee exempt
Replacement Tag	\$5.00	\$5.00
Other:		
Shelter fees (per day or portion thereof)		\$75.00/day
Shelter fees (Impoundment of dangerous, vicious or aggressive dogs)		\$300.00
Veterinary fees		As incurred
Beekeeping License		\$40.00
Hen Program License Fee, January or New Resident or New Dog or February - December		\$30.00
VICIOUS DOG LICENSE , January or New Resident or New Dog or February - December		\$750

DRAFT
Village of Longview
ANIMAL CONTROL BYLAW 469-23
SCHEDULE "B"
PENALTIES

***Column A indicates penalties in lieu of prosecution.**

***Column B indicates specified penalties for violation tickets issued pursuant to this Bylaw.**

SECTION	OFFENCE	"A"	"B"
Sec 4(a)	Allow animal to bite person	\$350.00	\$500.00
Sec 4(b)	Own animal that caused injury to a person	\$200.00	\$300.00
Sec 4 (c)	Allow animal to chase/threaten another	\$200.00	\$300.00
Sec 4(d)	Allow dog to bite/bark at, or chase stock/bicycles /automobiles or other vehicles	\$200.00	\$350.00
Sec 4(e)	Allow animal to bark/howl or otherwise disturb others	\$200.00	\$400.00
Sec 4(f)	Allow animal to cause damage/injure or kill another animal or wildlife	\$500.00	\$1000.00
Sec 4(g)	Allow animal to upset waste receptacle/scatter waste on public/private property	\$150.00	\$300.00
Sec 4(h) and Sec 4.1(a)	Allow animal to run at large, including allow enter playground.	\$200.00	\$300.00
Sec 4.1(b)	Fail to license animal	\$200.00	\$300.00
Sec 4.1(c)	Fail to keep animal in season from attracting other animals	\$200.00	\$300.00
Sec 5(a)	Permit diseased animal in public place	\$300.00	\$500.00
Sec 5(b)	Fail to keep diseased animal from disease-free animals	\$300.00	\$500.00
Sec 5(c)	Fail to secure diseased animal	\$300.00	\$500.00

Sec 5 (d)	Fail to report diseased animal	\$300.00	\$500.00
	OFFENCE		
SECTION	ANIMAL LICENSING	“A”	“B”
Sec 6.4	Provide false information for animal license	\$200.00	\$300.00
Sec 6.7	Failure to purchase temporary, or permanent Animal license or failure to wear such licenses	\$100.00	\$300.00
Sec 7 (A.1)(i)	Fail to ensure animal has adequate food/water	\$300.00	\$500.00
Sec 7(A.1)(ii)	Fail to provide adequate care for sick/wounded animal	\$500.00	\$1,000.00
Sec 7(A.1)(iii)	Fail to provide adequate protection from heat/cold	\$500.00	\$1,000.00
Sec 7(A.1)(iv)	Fail to provide adequate shelter/ventilation/space for animal	\$300.00	\$500.00
Sec 7(A.2)	Harbour more than four (4) dogs	\$200.00	\$400.00
Sec 7(A.3)(ii)	Fail to control animal in designated off-leash area	\$200.00	\$300.00
Sec 7A.6	Allow animal to damage public/private property	\$200.00	\$350.00
Sec 7A.7	Allow animal in area that prohibits animals	\$150.00	\$300.00
Sec 7A.8	Fail to clean up after animal	\$150.00	\$200.00
Sec 7A.9	Torment/tease/annoy/abuse/injure animal ¹	\$300.00	\$500.00
Sec 7A.10	Untie/loosen or free animal which is not in distress	\$200.00	\$300.00
Sec 7A.11	Interfere/hinder/impede or obstruct an Animal Control Officer	\$300.00	\$500.00
Sec 7A.12	Fail to properly dispose of animal waste	\$100.00	\$200.00
Sec 7A.13	Allow fecal odor to prevent the enjoyment of property	\$250.00	\$500.00
	OFFENCE		

	ANIMAL FANCIERS/ADOPTION	A	B
Sec 8(a)	Fail to apply for Fancier/Adoption License	\$300.00	\$500.00
Sec 8(b)	Exceed # of animals under Fancier License	\$300.00	\$500.00
Sec 9(a)	Fail to purchase Temporary License	\$100.00	\$300.00
	FAIL TO COMPLY		
Sec 11(b)&(c)	Fail to comply with conditions	\$500.00	\$1000.00
	VICIOUS DOGS		
Sec 13.6(i)	Vicious dog chase person	\$350.00	\$500.00
Sec 13.6(ii)	Vicious dog injure person	\$2,500.00	\$5,000.00
Sec 13.6(iii)	Vicious dog bite person	\$1000.00	\$2,000.00
Sec 13.6(iv)	Vicious dog chase domestic animals	\$350.00	\$500.00
Sec 13.6(v)	Vicious dog injure/bite domestic animal	\$500.00	\$1000.00
Sec 13.6(vi)	Vicious dog destroys public/private property	\$350.00	\$500.00
Sec 13.7 (a. - f.)	Fail to contain/control Vicious dog	\$2,500.00	\$5,000.00
Sec 13.8 (a, b, c)	Fail to muzzle/harnessed/leashed Vicious dog, when off property	\$2,500.00	\$5,000.00
Sec 13.9	Vicious dog run at large	\$500.00 \$350.00	\$1,000.00 \$500.00

Sec 13.10	Fail to properly sign property of vicious dog		
Sec 13.11(b)	Fail to renew/obtain Vicious dog license as required	\$350.00	\$500.00
	OFFENCE		
	OTHER CHARGES	A	B
Sec 13.11(d,e,f)	Fail to notify ACO if dog is sold/gifted/deceased or at large	\$350.00	\$500.00
Sec 13.12	Vicious dog fails to wear license	\$350.00	\$500.00
Sec 13.13	Fail to tattoo/microchip vicious dog	\$350.00	\$500.00
	IMPOUND OF ANIMALS		
Sec 15 (a)	Unauthorized person attempt/remove animal	\$500.00	\$1,000.00
Sec 15(b)	Unauthorized person break-in/assist-into pound	\$500.00	\$1,000.00
	LIVESTOCK		
Sec 18	Keep livestock while unauthorized or an Order for the removal of the livestock in accordance with Section 545 of the Municipal Government Act.	\$300.00 Plus removal costs incurred	\$500.00 Plus removal costs incurred
	OBSTRUCTION		
Sec 19 (a,b,c,d,)	Interfere/obstruct/harbor animal to avoid capture, give false owner information, unlock/free from vehicle	\$200.00	\$400.00
Sec 21 (c)	Bait/feed/attempt to attract feral animals	\$200.00	\$400.00
Sec 21 (d)	Abandon animal	\$400.00	\$1,000.00
Sec 21 (e)	Permit deceased animal on property	\$500.00	\$750.00

SCHEDULE "C"
Backyard Hens (Chicken) Program

Sec 7B (f)2	Exceed Maximum number of hens permitted	\$150.00	\$300.00
Sec 7B (f)3	Failure to maintain coop in a sanitary condition	\$150.00	\$300.00
Sec 7B (f)4	Failure to provide proper care and feeding	\$150.00	\$300.00
Sec 7B (f)5	Keeping hens while not permitted	\$150.00	\$300.00
Sec 7B (f)6	Slaughter hens within Village Limits	\$150.00	\$300.00
Sec 7B (f)7	Allow hens to escape owner's property or run at large	\$150.00	\$300.00
Sec 7B (g)	Keeping one or more Roosters	\$150.00	\$300.00

SCHEDULE "D"

Backyard Hens Program Rules and Best Practices

- C1.1 Applicants must be 18 years of age or older.
- C1.2 For the purposes of this program, a hen must be a female chicken. Baby chicks as well as pullets and full-grown hens are allowed.
- C1.3 Roosters are not permitted. If a male bird is identified, it must be disposed of.
- C1.4 It is unlawful to slaughter hens within Village limits.
- C1.5 A maximum number of six (6) hens is allowed per household.
- C1.6 Yards must be securely fenced. There is no minimum fence height requirement, however higher fencing will protect against predators. See the Land Use Bylaw for Maximum heights.
- C1.7 Participants will be warned once of any infraction. Any repeat infraction will be cause for fines in accordance with the bylaw and may be cause for disqualification from the program.

COOPS

- C2.1 Coop size cannot exceed 100 square feet without a building permit for an accessory building.
- C2.2 Coops must be designed to provide a minimum of 3 square feet per hen.
- C2.3 All chicken coops shall be located only in the rear yard and must fully enclose the chickens and prevent them from escaping.
- C2.4 Hens must have access to outdoor 'run' space which must fully enclose the chickens and prevent them from escaping.
- C2.5 Trailer Parks can also have Chicken coops, no minimum lot size. See Land Use Bylaw for accessory buildings and other permitting requirements.
- C2.6 Coops must be:
 - (a) located in the rear yard of the lot behind the dwelling;
 - (b) a minimum of 3.0 metres (9.8 ft) from the principal dwelling;
 - (c) a minimum of 1.0 metre (3.3. ft) from any property line;
 - (e) a maximum of 2.5 metres (8 ft) in height;

- C2.7 Locate the coop in a place that will be mindful and considerate of your neighbours.
- C2.8 The chicken coop shall be designed and constructed to ensure proper ventilation and sufficient space for the chickens and be maintained in accordance with good animal husbandry practices and shall keep all vermin out.
- C2.9 The applicant must provide and maintain, in each coop, at least one perch, for each hen, that is at least 15 cm long, and one nest box per minimum 3-4 hens; and adequate environmental protection as to shelter the hens from heat and cold injury.
- C2.10 Coops shall be maintained in good repair, kept in clean and sanitary condition, free of vermin and obnoxious smells and substances.
- C2.11 Backyard hens must not create a nuisance or disturbance to neighboring residents due to noise, odour, damage or threats to public health.

Care & Feeding

- C3.1 Do your research on the care of hens - education online or in the community.
- C3.2 Follow biosecurity procedures recommended by the Canadian Food Inspection Agency, referring especially to Biosecurity for Backyard Flock and Small Bird Owners.
- C3.3 Proper care and feeding practices must be followed to ensure the well-being of the hens. This includes providing each hen with food, water, shelter, light, ventilation, veterinary care and opportunities for essential behaviours such as scratching, dustbathing, and roosting, all sufficient to maintain the hens in good health. Participants must not keep a hen in a cage.
- C3.4 Food must be stored in a way to discourage predators.
- C3.5 You must enlist a hen 'caregiver' when you plan to be away from home.
- C3.6 Disposing of hens: If a hen dies of an unknown cause, it is recommended that it be checked by a veterinarian to protect the health of the other hens. Otherwise, it can be disposed of in the garbage in a sealed waste bag.

Approval / Registration Process

- C4.1 The \$25 Backyard Hens Licensing fee is renewable annually by January.
- C4.2 Once you are comfortable with the basic care of Backyard Hens, please apply by filling

out the Backyard Hens Program Application Form available on the Village website or contact the Municipal Office.

C4.3 Please ensure the following accompanies your application:

a) A copy of the submitted premises identification form (PID) submitted to the province of Alberta:

[http://www1.agric.gov.ab.ca/\\$department/deptdocs.nsf/all/trace12345](http://www1.agric.gov.ab.ca/$department/deptdocs.nsf/all/trace12345)

b) A drawing or description or photo of your planned coop and its location within the yard.

c) The \$5 annual Backyard Hens Licensing fee.

d) If applicable, a signed permission letter from your landlord.

C4.4 Applications will be reviewed by Administration, and you will be contacted within a week of receipt of the application.

C4.5 After the application is approved, you may commence with the construction of the coop.

C4.6 Once the Coop is built, you must call the Village to arrange for an Animal Control Officer to meet you at your residence to inspect the coop. At the time of inspection, the coop must be approved as being adequately outfitted for the care of hens based on these bylaws. It is understood these bylaws may need to be updated over time with regard to best practice adequate care of hens for example, based on Alberta Farm Animal Care evolving guidelines.

C4.7 After inspection approval, the applicant will be contacted by Administration within one week, at which time the applicant may obtain their hens.

Compliance

C5.1 If a complaint is registered with the Village, Animal Control Officers may attend the residence at their own discretion. An appointment with the owner of the hens is not required in such cases.

C5.2 Participants may be fined for various infractions including:

- a) exceeding maximum number of hens permitted
- b) failing to maintain coop in a sanitary condition
- c) keeping hens while not permitted
- d) sale of eggs, unless the eggs clearly display they are not inspected
- e) sale of manure, meat or other products derived from hens as per Alberta Regulations.
- f) slaughter hens within Village limits
- g) allow hens to escape or run at large

C5.3 Participants may be disqualified from the Program for cause, including but not limited, to mistreatment of hens or repeated violations of the bylaw.

C5.4 If so notified, participants must dispose of or remove all hens within 30 days of notification.

C5.5 We may continue to ask participants and neighbours to complete surveys regarding the Backyard Hens Program.

C5.6 The Backyard Hens Program may be terminated at any time by the Village, for any cause.