

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

WHEREAS, under the provisions of Section 7 of the Municipal Government Act, Chapter M-26, R.S.A. 2000, and amendments thereto, the Council may pass a By-law for the purposes of safety, health and welfare of people and the protection of people and property and regulation in regards to wild and domestic animals and activities in relation to them;

WHEREAS, the SUMMER VILLAGE OF WHISPERING HILLS Council desires to provide regulations and procedures for the purposes of establishing regulations for the confinement of Dogs.

NOW THEREFORE, the SUMMER VILLAGE OF WHISPERING HILLS Council enacts as follows:

SECTION 1: SHORT TITLE

1.1 This By-law may be cited as the "DOG CONTROL BY-LAW".

SECTION 2: DEFINITIONS

2.1 "Animal Control Officer" means any person or entity appointed by the Summer Village to do any act or perform any duties under this By-law and includes a member of the Royal Canadian Mounted Police, an independent contractor who is under contract with the Summer Village to provide By-law Enforcement Services an Animal Control Officer and a Peace Officer.

2.2 "At Large" means

- (i) Where a Dog is at any place other than the Owner's Property or Permitted Property and is not being carried by any person or is not otherwise restrained by a Permitted Leash held by a person, and that Permitted Leash is attached to a choke chain, collar or harness securely holding the Dog. If it is difficult for a person to restrain the Dog by a Permitted Leash, then the Dog shall be deemed to be "At Large" notwithstanding the presence of a Permitted Leash.
- (ii) Notwithstanding the above a Dog may be determined, by a Animal Control Officer, to be At Large if said Dog is on the property of the Owner, but is not under the direct supervision of the Owner and due to not being under the direct supervision of the Owner the Dog may leave the property line of said property at any time.

2.3 "Controlled Confinement" means the confinement of a Dog in a pen, cage or building.

2.4 "Day" means a continuous period of twenty-four (24) hours, but does not include Sundays or Statutory Holidays.

2.5 "Damage to Property" means damage to property other than the Owner's Property, and includes defecating or urinating on such property.

2.6 "Dangerous Dog" means any Dog that an Animal Control Officer determines on reasonable grounds to be a Dangerous Dog, either through personal observation or on the basis of facts determined after an investigation initiated by a complaint.

2.7 "Dog" means a male or female animal of the canine species and includes a Dog that is a cross between a wolf and a Dog or a coyote and a Dog or a combination thereof.

2.8 "Former Owner" means the person who, at the time of impoundment, was the Owner of the Dog.

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

- 2.9 "Housed and Confined" means to confine a Female Dog during the whole period of time that such Dog is in heat in such a manner that the Dog will not be a source of attraction to the other Dogs.
- 2.10 "Kennel" means any place, owned by a person, group of persons or corporation engaged in the commercial business of breeding, buying, selling or boarding Dogs.
- 2.11 "Muzzle" means a humane fastening or covering device of adequate strength over the mouth of a Dog to prevent it from biting.
- 2.12 "Nuisance Dog" means any Dog in respect of which there have been two or more convictions for offences under this By-law or a dog whose Owner has plead guilty to more than two (2) offences under this By-law.
- 2.13 "Owner" means:
- (a) a person who has the care, charge, custody, possession or control of a Dog;
 - (b) a person who owns or who claims any proprietary interest in a Dog;
 - (c) a person who harbors, suffers or permits a Dog to be present on any property owned, occupied or leased by him, or which is otherwise under his control;
 - (d) a person who claims and receives a Dog from the custody of the Shelter or a Animal Control Officer; or
 - (e) a person to whom a License Tag was issued for a Dog in accordance with this By-law;
- and for the purposes of this By-law a Dog may have more than one (1) Owner.
- 2.14 "Owner's Property" means any property in which the Owner of a Dog has a legal or equitable interest over which the Owner of a Dog is a tenant or visitor on; without limiting the generality of the foregoing property shall include, land, buildings and vehicles.
- 2.15 "Permitted Leash" means a leash adequate to control the Dog to which it is attached, and which leash shall not exceed three (3) meters in length.
- 2.16 "Permitted Property" means private property upon which the Owner of a Dog has the express permission of the Owner to allow the Owner's Dog to be At Large thereon.
- 2.17 "Public Property" means all property owned by or under the control and management of the Summer Village.
- 2.18 "Serious Wound" means an injury to a Human or Animal resulting from the action of a Dog which causes the skin to be broken or flesh to be torn.
- 2.19 "Shelter" means premises designated by the Summer Village for the impoundment and care of Dogs and includes premises supplied by an independent contractor under contract with the Summer Village to provide such services.
- 2.20 "CAO" means the CAO of the SUMMER VILLAGE OF WHISPERING HILLS.
- 2.21 "Summer Village" means the SUMMER VILLAGE OF WHISPERING HILLS in the Province of Alberta.
- 2.22 "Violation Tag" means a Summer Village violation notice or tag, allowing for a voluntary payment of a specified penalty to be paid out of court to the Summer Village in lieu of being prosecuted for the offence.
- 2.23 "Violation Ticket" means a ticket issued pursuant the Provincial Offences Procedure Act.

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

SECTION 3: DANGEROUS DOGS

- 3.1 The Owner of a Dangerous Dog shall take all necessary steps to ensure that it does not bite, chase or attack any human being, Dog or other animal whether the Dog is on the property of the Owner or not.
- 3.2 If a Dangerous Dog bites, chases or attacks a human being, Dog or animal, the Owner shall be guilty of an offence and be liable to a penalty under this by-law, exclusive of any other civil actions or penalties.
- 3.3 When a Dog that has been declared a Dangerous Dog is on the premises of its Owner, it shall be confined in a securely enclosed and locked pen, or other structure, constructed and secured in such a fashion as to prevent the escape of the Dangerous Dog, and to prevent the entry of persons unauthorized by the Owner. Any such pen shall have a secure top and sides and either:
- (a) have a secure bottom effectively attached to the sides; or
 - (b) the sides shall be embedded in the ground to a minimum of thirty (30) centimeters.
- Any person who contravenes Section 4.3 is guilty of an offence.
- 3.4 When a Dangerous Dog is off the premises of the Owner, it shall be securely Muzzled, and shall be either harnessed or leashed securely to effectively prevent it from attacking or biting a human being, Dog or other animal; provided that this requirement shall not apply when the Dangerous Dog is in a building or enclosure, in attendance at a bona fide Dog show, or confined in a pen meeting the requirements of this section. Any person who fails to meet the requirements of this section is guilty of an offence.
- 3.5 The Owner of a Dog, which the Owner knows or ought to know is a Dangerous Dog, shall ensure that such Dog is confined and secured in accordance with the provisions of Section 4.3.
- 3.6 If a Animal Control Officer determines on reasonable grounds that a Dog is a Dangerous Dog, either through personal observation or on the basis of facts determined after an investigation initiated by a complaint, he may:
- (a) give the Owner a written notice that the Dog has been determined to be a Dangerous Dog; and
 - (b) require the Owner to keep such Dog in accordance with provisions of Section 4.3 of this By-law upon the Owner's receipt of the notice; and
 - (c) inform the Owner that if the Dangerous Dog is not kept in accordance with Section 4.3 of this By-law, the Owner will be fined, or subject to enforcement action under this By-law.
- 3.7 The Owner of a Dangerous Dog At Large is guilty of an offence.
- 3.8 The Owner of a Dangerous Dog, notwithstanding the Dangerous Dog Designation is from another Municipality; if the Owner ought to have known the dog was deemed a Dangerous Dog in the other Municipality, is guilty of an offence.
- 3.9 Provisions in this By-Law which apply to Dangerous Dogs shall not apply to Dogs owned by a Police service solely by reason of any events or actions which occur while the Dogs are engaged in police work.
- 3.10 Nothing in this Section shall prevent a Animal Control Officer from bringing forward an application, to a Provincial Court Judge, in relation to a Dog that has injured (or attempted to injure) any human being, Dog or other animal pursuant to the Dangerous Dog Act or Animal Protection Act of the Province of Alberta without first deeming a Dog Dangerous under this By-law.
- 3.11 Where the Owner of a Dog that has been determined to be a Dangerous Dog produces information to the Summer Village Animal control Officer, that may alter a determination made under this section, the CAO shall, as soon as is reasonably possible, cause the matter to be reviewed and make a final determination.

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

SECTION 4: DOG CONTROL PROVISIONS

- 4.1 An Owner whose Dog barks, howls or makes another noise thereby disturbing the quiet or repose of any person is guilty of an offence (SEE 7.2).
- 4.2 An Owner who's Dog has caused Damage to Property within the Summer Village is guilty of an offence.
- 4.3 The Summer Village may post signs in areas where Dogs are not permitted. An Owner whose Dog is in an area where a sign prohibits the presence of Dogs, is guilty of an offence regardless of whether or not such Dog is At Large.
- 4.4 An Owner of a Dog is guilty of an Offence if such Dog:
- (a) bites, attacks, threatens, harasses, barks at, chases, kills, or injures any person including, but not limited to, when such person is on a bicycle, horse-back or while walking or running;
 - (b) bites, attacks, threatens, harasses, barks at, chases, kills, or injures any vertebrate or invertebrate belonging to other persons; or
 - (c) bites, barks at, or chases any vehicle;
 - (d) barks, howls or otherwise comports itself in such a fashion as to alarm or cause any person to fear for their physical safety;
 - (e) Upsets any waste receptacle or scatters the contents thereof;
- Whether or not the Dog is At Large at the time of the offence the owner is guilty of an offence.
- 4.5 If a Dog defecates on property which is not the Owner's Property, the Owner shall cause such defecation to be removed immediately and disposed of in a sanitary manner. Any Owner who fails to clean up defecated matter immediately after it is eliminated by the Dog is guilty of an offence.
- 4.6 An Owner of a Dog shall carry a suitable means of removing dog feces at all times while the dog is in the custody of the Owner on property other than the Owner's Property.
- 4.7 An Owner of a female Dog is guilty of an offence if the Owner of such female Dog does not keep it housed and confined in a building or Kennel during the entire period such female Dog is in heat except that the female Dog may be allowed outside any such building or Kennel for a reasonable period for the sole purpose of eliminating on the Owner's Property.
- 4.8 No person shall tease, torment, annoy, abuse or injure any Dog, and any person who does so is guilty of an offence.
- 4.9 No person shall untie, loosen or otherwise free a Dog, which is not in distress, unless such person has the authorization of the Owner, and any person acting contrary to this Section is guilty of an offence.
- 4.10 No person, whether or not he is the owner of a dog which is being or has been pursued or captured, shall:
- (a) interfere with or attempt to obstruct a Animal Control Officer who is attempting to capture or who has captured a Dog which is subject to being impounded pursuant to the provisions of this by-law; Obstruct for the purpose of this Section shall include but is not limited to blocking or yelling at a Animal Control Officer; or,
 - (b) induce the Dog to enter a house or other place where it may be safe from capture; or,
 - (c) falsely represent himself as being in care or control of the dog, so as to establish that the dog is not At Large; or,
 - (d) unlock or unlatch or otherwise open the Animal Control Officer's vehicle in which dog(s), kept for impoundment, have been placed so as to allow or attempt to allow any dog to escape there from.

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

- 4.11 For the purpose of greater certainty and to provide clear authority for the Animal Control Officer to perform duties under this By-law, an explicit authority is granted for the Animal Control Officer to enter onto private property to perform any of those duties which are required to be performed under this By-law; however, this authority does not include a private dwelling.
- 4.12 No person shall remove, or attempt to remove, any Dog from the possession of an Animal Control Officer; or, any person authorized to enforce any of the provisions of the Dog Control By-law.
- 4.13 No person residing within the SUMMER VILLAGE OF WHISPERING HILLS shall keep or harbor more than two (2) Dogs of whatever sex and age six (6) months or more, at the same time in any house, shelter, room or place within the Summer Village. Provided this Section shall not apply to premises lawfully used for the care and treatment of Dogs operated by and in charge of a Veterinarian, nor to premises for which permission by the Summer Village has been granted for temporary use for the purpose of a Dog show, nor to any person who has been granted a permit to operate a Kennel within the Summer Village.
- 4.14 No person shall allow a Dog to be left unattended while tethered or tied up on premises where the public has access, whether the right of access is expressed or implied.
- 4.15 An Owner shall at all times keep the property where a Dog is kept in a clean and tidy condition. For the purpose of this Section, "clean and tidy condition" means clean and tidy from the observation of an Animal Control Officer, acting reasonably. Any person who fails to keep their property in a clean and tidy condition is guilty of an offence.

NUISANCE DOG

- 416 A Animal Control Officer may, on having reasonable and probable grounds to believe a Dog is a Nuisance Dog, direct the Owner, in writing, to take such action as deemed necessary by the Animal Control Officer to ensure this By-law is not further contravened.
- 4.17 The Owner of a Nuisance Dog who fails to comply with the written direction of an Animal Control Officer pursuant to Subsection 5.17 is guilty of an offence.
- 4.18 the Owner of a Nuisance Dog shall take all precautions to ensure that such Nuisance Dog is not left tethered or tied up and allowed to behave in such a fashion that it disturbs the rest, enjoyment or use of another person's property, in a residential yard when no one at that residence is home (SEE 5.1).
- 4.19 When the Owner of a Nuisance Dog is at home supervising the Nuisance Dog they shall not allow the Nuisance Dog, when tethered or tied up in a residential yard, to get closer than 1.5 meters to the property line.

SECTION 5: CONTROLLED CONFINEMENT

- 5.1 A person who has received a Serious Wound or the Owner of any vertebrate or invertebrate which has received a Serious Wound and the Owner of a Dog which has inflicted the Serious Wound shall promptly report the Dog to an Animal Control Officer who may thereupon place the Dog under Controlled Confinement. The Dog shall not be released from such Controlled Confinement until the Animal Control Officer is satisfied that the provisions of this By-law will be complied with.
- 5.2 Upon demand made by the Animal Control Officer, the Owner shall forthwith surrender for supervised quarantine, any Dog which has inflicted a Serious Wound to any human or animal.
- 5.3 Upon demand made by the Animal Control Officer, the Owner shall forthwith surrender any Dog which the Animal Control Officer has reasonable and probable grounds to suspect of having been exposed to rabies.

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

- 5.4 The Dog, which has been impounded pursuant to section 6.2 and 6.3, may be reclaimed by the Owner:
- (a) if adjudged free of rabies;
 - (b) upon payment of confinement expenses and payment of any penalties pursuant of this By-law;
 - (c) upon compliance with the licensing provisions of this By-law; and
 - (d) at the sole discretion of an Animal Control Officer considering the recommendation of a registered veterinarian.
- 5.5 In the event of an outbreak or a threatened outbreak of rabies, or any disease affecting Dogs, which may be transmitted to human beings, the Animal Control Officer, by virtue of this By-law, may direct that all Dogs be securely tied up by the Owner or be otherwise effectively confined and prevented from being At Large. Any Dog found At Large in contravention of this Section shall be impounded and the Owner is guilty of an offence.
- 5.6 Except as herein provided, no person shall kill, or cause to be killed, any rabid Dog, any Dog suspected of having been exposed to rabies, or any Dog which has bitten a human, nor remove such Dog from the Summer Village without prior written permission from the Animal Control Officer.
- 5.7 When, in the judgment of a Licensed Veterinarian, a Dog should be destroyed for humane reasons, such Dog may not be redeemed, until such Dog has been destroyed.
- 5.8 No action shall be taken against any person acting under the authority of the Dog Control By-law for damages for the destruction or other disposal of any Dog.

SECTION 6: POWERS OF AN ANIMAL CONTROL OFFICER

- 6.1 An Animal Control Officer may obtain, from a Provincial Court Judge, a warrant to search within a private dwelling or upon any property; upon satisfying the Provincial Court Judge that there are reasonable and probable grounds to believe that there has occurred or is occurring within or upon such private dwelling or property a contravention of the provisions of this By-law. If, upon conducting such search, it appears that a contravention of this By-law is or has occurred, or a number of Dogs in excess of the Dogs authorized by this By-law are being kept, then upon laying a charge under this By-law the Animal Control Officer, conducting the search, may forthwith remove from the property and impound, as evidence for trial, any number of Dogs in excess of the maximum number, or any Dog being kept in contravention of this By-law.
- 6.2 An Animal Control Officer is authorized to capture and impound in the Shelter, any Dog which is At Large or in any way being kept or allowed to behave in contravention of this By-law. The Animal Control Officer is further authorized to take such reasonable measures as are necessary to subdue any Dog which is At Large, including the use of tranquilizer equipment and materials. If any such Dog is injured, it may be taken to a registered veterinarian for treatment and then to a Shelter.
- UPON A COMPLAINT BEING RECEIVED, and for the purpose of greater certainty, any Dog which is found in contravention of section 5.2 and/or 5.19, without the Owner being home or someone authorized by the Owner to supervise the Dog being home, the Dog shall be impounded to stop the further contravention of this By-law. Upon removing the Dog from the property the Animal Control Officer shall place a Dog Impoundment Notice, as prescribed from time to time by the SUMMER VILLAGE OF WHISPERING HILLS, on the property.
- 6.3 Any Dog impounded pursuant to this By-law shall be kept in the Shelter for a period of seventy-two (72) hours. Sundays and Statutory holidays shall not be included in the computation of the seventy-two (72) hour period. During this period, any Dog may be redeemed by its Owner, except as otherwise provided in this By-law, upon payment to the Summer Village or its authorized agent of:
- (i) The appropriate impoundment fee as set out in Schedule "A" of this By-law;
 - (ii) The appropriate penalty as set out in Schedule "B" of this By-law;

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

(iii) The cost of any veterinary treatment to relieve pain or bleeding of any Dog that is found to be injured when picked up or injured in the process of capture.

- 6.4 An impounded Dangerous Dog shall be kept in the Shelter for a period of seventy-two (72) hours from the time the Owner is given authorization, at the sole discretion of the Animal Control Officer, to reclaim the Dog from the Shelter.
- 6.5 At the expiration of the seventy-two (72) hour period as prescribed in Section 7.3 and 7.4 of this By-law, the Animal Control Officer is authorized to:
- (i) Offer the Dog for sale, or for gift;
 - (ii) Destroy the Dog in a humane manner;
 - (iii) Allow the Dog to be redeemed by its Owner in accordance with the provisions of Section 7.3, herein; or
 - (iv) Continue to impound the Dog for an indefinite period of time or for such further period of time as the Animal Control Officer, in his or her discretion, may decide.

The purchaser of a Dog from the Shelter shall obtain full right and title to it, and the right and title of the Former Owner of the Dog shall cease.

- 6.6 The discretion to investigate a complaint pursuant to this By-law lies solely with the SUMMER VILLAGE OF WHISPERING HILLS or their agents.

SECTION 7: PENALTIES

- 7.1 Any person who contravenes any provision of this By-law is guilty of an offence and is liable to a penalty as set out in Schedule "B" of this By-law.
- 7.2 Notwithstanding Section 8.1 of this By-law, any person who commits a second offence under this By-law within one (1) year of committing the first offence may be liable to a fine of not less than nor more than the sum as set out in Schedule "B" of this By-law, while any person who commits a third or subsequent offence under this By-law within one (1) year of committing the first offence may be liable to a fine of not less than nor more than the sum as set out in Schedule "B" of this By-law.

SECTION 8: VIOLATION TAGS AND TICKETS

- 8.1 The Animal Control Officer is hereby authorized and empowered to issue a Violation Tag to any person who contravenes any provision of this by-law.
- 8.2 Such Violation Tag may be issued to such persons either:
- (a) Personally or by leaving a copy for him at his last or usual place of abode; or
 - (b) By mailing a copy to such person at his last known post office address as shown on the records of the Summer Village.
- 8.3 The Violation Tag shall be in a form approved by the Summer Village and shall state, inter alia:
- (a) The name of the offender;
 - (b) The offence;
 - (c) The appropriate penalty for the offence as specified in Schedule "B" of this By-law; and
 - (d) That the penalty shall be paid within THIRTY (30) Days of the issuance of the Violation Tag. And shall include for the offenders information that if the tag is not paid within the 30 Days an

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

administrative surcharge as prescribed in Schedule "A" of this By-law shall be added to the voluntary penalty for the offence.

- 8.4 Where a contravention of the Dog Control By-law is of a continuing nature, further Violation Tags for the same offence may be issued by the Animal Control Officer for each Day the violation continues provided however, that no more than one Violation Tag shall be issued for each Day that the contravention continues.
- 8.5 Where a Violation Tag is issued pursuant to Section 9.1 of this By-law, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Summer Village the sum specified on the Violation Tag.
- 8.6 If the penalty specified on the Violation Tag is not paid within the prescribed time period, an Animal Control Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.
- Notwithstanding the above an Animal Control Officer may issue a Violation Ticket pursuant to Part II of the *Provincial Offence Procedures Act* without first issuing a Violation Tag.
- 8.7 The Violation Ticket must be in the form prescribed under the Act and must include both a complaint and a summons.
- 8.8 The complaint portion of the Violation Ticket must be duly sworn and filed with the clerk of the Provincial Court prior to the initial appearance date indicated on the ticket. Assuming that the person charged does not take the voluntary penalty option, they will be required to appear in court and enter a plea. Once the plea is entered, a trial date will be assigned.

SECTION 9: GENERAL

- 9.1 This By-law shall not apply to:
- (a) the Dogs kept at a zoo, or being securely transported within a motor vehicle to or from a zoo;
 - (b) the Dogs kept at any veterinary clinic, or being securely transported within a motor vehicle to or from a veterinary clinic.
- 9.2 Should any provision of this By-law be deemed invalid, then such invalid provision may be severed and the remaining By-law shall be maintained.
- 9.3 An 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 Summer Village's Land-Use By-law. Where the keeping of the Dogs would not comply with any Federal, Provincial or other Municipal Legislation, the Animal Control Officer may refuse to issue a License.
- 9.4 Payment of any fine or imprisonment for any period of time, pursuant to the provisions of this By-law or any Provincial Legislation, shall not relieve any person from the obligation to pay any fees charges or costs for which that person is liable.
- 9.5 Any unpaid fine will be added to the property taxes of that residence.
- 9.6 Payment of any fine or imprisonment for any period as provided for in this By-law shall not relieve any person from any civil liability whatsoever, which may arise by reason of that person's contravention of any provision of this By-law.
- 9.7 This By-law hereby rescinds By-law 107-12

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

- 9.8 This By-law shall come into force and effect upon the date of the passing of the third and final reading, and shall apply to notwithstanding the presence of the Dog in the Summer Village prior to that date.

SECTION 10.0 – AMENDMENTS

The Council of the SUMMER VILLAGE OF WHISPERING HILLS may, by by-law or resolution in Council, alter, amend or repeal any or all of the Schedules, which form part of the by-law.

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

SCHEDULE "A"

FEES

1. Surcharge for Violation Tags not paid within 30 days \$20.00 or 20% of the Voluntary penalty whichever is greater
2. Impoundment Fees:
Those charges rendered by the Animal Control Officer that impounds the Dog,
3. Medical Fees:
Associated costs for any medical services that may have been required.

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

SCHEDULE "B"

PENALTIES

SECTION	OFFENCE	PENALTIES
4.10	Providing false or misleading information	\$ 1000.00
3.2	Owner of a Dangerous Dog which bites, chases or attacks any human or animal	\$2000.00
3.3	Failure of Owner of a Dangerous Dog to keep Dog properly confined/Provide Secure Pen	\$ 1000.00
3.4	Failure of Owner of a Dangerous Dog to keep the Dog Muzzled and harnessed or leashed while off of the Owners' property	\$ 1000.00
3.5	Owner of a Dangerous Dog At Large	\$500.00
4.1	Owner of a Dog which barks, howls or makes another noise thereby disturbing the quiet or repose of any person	\$ 200.00
4.2	Owner of a Dog which causes Damage to Property	\$1000.00 (plus costs)
4.3	Owner of a Dog which is present in an area where the presence of Dogs is prohibited by sign	\$ 150.00
4.4 (a)	Owner of a Dog which bites, attacks, threatens, harasses, barks at, chases, kills, or injures any person	\$ 2500.00
4.4(b)	Owner of a Dog which bites, attacks, threatens, harasses, barks at, chases, kills, or injures any vertebrate or invertebrate	\$ 2000.00 (plus costs)
4.4 (c)	Owner of a Dog which bites, barks at, or chases any vehicle	\$ 150.00
4.4 (d)	Owner of a Dog that barks howls or comports itself in an alarming fashion	\$ 150.00
4.4 (e)	Owner of a Dog that upset any waste receptacle	\$ 150.00
4.5	Failure to remove defecation immediately	\$ 150.00
4.6	Failure to carry suitable means of removing defecated matter	\$150.00
4.7	Failure of Owner to keep a female Dog in heat housed and confined	\$ 150.00
4.8	Teasing, tormenting, annoying, abusing, or injuring any Dog	\$ 2000.00
4.9	Untying, loosening or otherwise freeing a Dog without the Owner's authorization	\$1000.00

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

4.10	Interfering with, impeding or hindering a Animal Control Officer's enforcement of this By-law	\$1000.00
412	Removing or attempting to remove any Dog from the possession of a Animal Control Officer	\$1000.00
413	Excessive number of Dogs	\$1000.00
4.14	Leave Dog tied up at public access	\$150.00
415	Fail to keep yard of Dog in a clean and tidy condition	\$150.00
4.17	Fail, refuse or neglect to comply with and enforcement order in relation to a Nuisance Dog	\$1000.00
4.18	Nuisance Dog in yard when no Owner at home disturbs another person	\$150.00
4.19	Nuisance Dog allowed to be within 1.5 meters of a property line	\$150.00
5.1	Fail to report a Dog attack to an Animal Control Officer	\$1000.00
5.2	Fail to surrender Dog at request of an Animal Control Officer	\$1000.00
5.3	Dog at large at a time when a rabies outbreak order has been placed	\$1000.00
5.7	Destroy dog w/o written consent	\$1000.00
7.2	Second or subsequent offence within one year of the first offence	Double the specified penalty for the first offence
7.2	Third or subsequent offence within one year of the first offence	Triple the specified penalty for the first offence
	An offence for which a penalty is not otherwise provided in Schedule "B" of this By-law	\$ 150.00

SUMMER VILLAGE OF WHISPERING HILLS

By-Law 110-13

Province of Alberta

BEING A BY-LAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF ESTABLISHING REGULATIONS FOR THE REGULATING AND CONFINEMENT OF DOGS

Read a first time this 13th day of June, 2013 A.D.

Read a second time this 13th day of June, 2013 A. D.

Read a third and final time and passed this day of 2013 A. D.

Mayor, Dennis Irving

Summer Village Manager, Garth Bancroft