THE SUMMER VILLAGE OF KAPASIWIN

PROVINCE OF ALBERTA
BY-LAW NO. 197

A BY-LAW OF THE SUMMER VILLAGE OF KAPASIWIN TO PROVIDE FOR THE REGULATING AND CONTROLLING OF DOGS WITHIN THE LIMITS OF THE SAID SUMMER VILLAGE

WHEREAS a Council of a municipality may, pursuant to Section 164 of the Municipal Government Act, Chapter M-26, R.S.A. 1980, as amended, pass by-laws for the purpose of regulating and controlling animals in the municipality; and

WHEREAS the Council of the Summer Village of Kapasiwin deems it necessary to pass a By-law for the purpose of regulating and controlling dogs within the limits of the Village;

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

1. This By-law may be cited as "The Summer Village of Kapasiwin Dog Control By-law."

2. In this By-law,
   (1) "VILLAGE" means the Summer Village of Kapasiwin.
   (2) "DOG" means either a male or female dog.
   (3) "ANIMAL CONTROL OFFICER" means the person or firm engaged by the Village to enforce the provisions of this By-law.
   (4) "SHELTER OFFICER" means the official appointed by the Village to maintain, manage and control of the shelter, and shall also include such assistant or assistants as may be engaged by the Village.
   (5) "OWNER" means the person who has legal title to the dog, and includes also any person who has possession or custody of a dog, or harbours a dog, or suffers or permits a dog to remain on his or her premises.
   (6) "RUNNING AT LARGE" means a dog which is off the premises of the owner, and is not on a leash or under the

immediate, continuous and effective control of its owner or some competent person.

3. No person shall keep a dog in the Village unless same has been licensed in the Village, in accordance with Sections 5 and 6 of this By-law.

4. All dogs in the Village of Kapasiwin shall be required to have a vaccination against rabies every two years.

5. The owner of every dog shall, in each year, or within one month from the time he or she becomes the owner of a dog, purchase a license from the Village, and at that time leave with the Secretary-Treasurer his or her name and mailing address, and the description of the dog, including sex, breed, age and any other relative information that may be requested by the Secretary-Treasurer.

6. Upon purchasing a license for a dog the owner shall be given a metallic or plastic plate having raised, stamped or cast thereon, the words "DOG TAG", "KAPASIWIN" and figures indicating the year in which the license fee has been paid and a number corresponding with the number under which the dog is licensed, and the metallic plate shall be attached to a collar and caused to be worn around the neck by the dog.

7. The Licence Fee payable at the time of purchase shall be as follows:

   ANNUAL LICENSE FEE for a neutered dog - Five ($5.00) Dollars.

   ANNUAL LICENSE FEE for unneutered dog - Twenty ($20.00) Dollars.

   The above fees to be doubled for a second dog in any one household.

   The owner or harbourer of more than two dogs shall make application to the Council of the Summer Village of Kapasiwin for a Kennel License. Such

application may be approved or refused by Council.

8. Any dog whether licensed or not which

(1) is running at large or,
(2) bites, attacks, runs at, or attempts to bite, attack or run at any person, or
(3) chases or barks at any automobile, bicycle, or other vehicle, or
(4) worries or annoys any other animal, or
(5) is actually or apparently infected with rabies, or any other infectious disease and is not under a veterinarian's care, or
(6) causes damage to private or public property within the Village, or
(7) whether under leash, immediate and effective control or not,
    (a) is brought on, or found on school grounds or the area of a public park, or
    (b) is named, described or otherwise designated in a complaint made under the provisions of the Dangerous Dogs Act, or
    (c) is the subject of a complaint by a person as creating a nuisance by barking, howling or otherwise disturbing any person at any time of day or night,

may be captured and impounded by the Animal Officer, and confined in the animal shelter where it shall remain for a period of not less than three (3) working days; after which it shall be dealt with in a manner provided by Section 10 of this By-law, or

in lieu of impoundment, the owner or the person, as the case may be, who has contravened any provisions of this By-law, may be served with a Dog Control Ticket as prescribed by Schedule "A" of this By-law.

9. Before an owner can redeem an impounded

dog, he or she shall pay to the Shelter Officer:

(1) Twenty Dollars ($20.00) for the first time the dog is impounded; and

(2) Fifty Dollars ($50.00) for the second and each subsequent time and same dog is impounded within a calendar year; and
(3) all fees and costs of impoundment and board as may be determined from time to time by Council; and
(4) Veterinarian fees, if any, incurred by the Shelter Officer in respect of the dog.

PROVIDED THAT, if such dog is not licensed, the owner shall first obtain a license as hereinbefore provided, before such dog is released.

10. Any dog, licensed or unlicensed, not redeemed, shall become the property of the Village.

11. The Animal Control Officer shall,

(1) forthwith after impoundment of any dog, notify the owner, if ascertainable, of such impoundment,
(2) make provisions for an adequate animal shelter and provide adequate care, food and water for any dog so impounded.
(3) keep a record of all dogs impounded, and of their disposal,
(4) make a monthly return to the Village of impoundments and setting forth in detail all monies collected under provisions of this By-law.

12. Any person who:

(1) teases, torments, annoys any dog in the Village, or
(2) removes or attempts to remove any dog from the animal shelter while it is impounded or interferes with the Animal Control Officer in any way while the Animal Control Officer is

carrying out his or her duties under this By-law, and

Any Owner who:

(1) contravenes any provisions of this By-law or allows his or her dog to act in a manner so as to make it subject to penalty or impoundment under the provisions of this By-law,

is guilty of an offence and liable on summary conviction, in addition to any fees payable by reason of an impoundment, to a fine not less than One Hundred ($100.00) Dollars and costs, and in default of payment of such fine and costs, to imprisonment for a period of not less than seven (7) days and not exceeding thirty (30) days.

13. In lieu of being prosecuted, a person who has contravened any provisions of this By-law may elect to voluntarily pay a find in respect of the contravention, in which case the fine shall be:

(1) Twenty ($20.00) Dollars for the first offence, and
(2) Fifty ($50.00) Dollars for the second and subsequent offences within a calendar year,

provided that the person has been served with a Dog Control Ticket as prescribed by Schedule "A" of this By-law, and if payment of a penalty as set out in the Dog Control Ticket is made to the Village within fourteen (14) days from the date of service of the Dog Control Ticker.

14. A Dog Control Ticket shall be deemed to be sufficiently served

(1) if served personally on the owner or person as the case may be who has contravened any provisions of this By-law, or
(2) if mailed by single registered mail to the address of any owner or persons, as the case may be, who has

contravened any provisions of this By-law.

15. In any case where the dog cannot be caught, the Animal Control Officer is hereby authorized to use tranquilizer equipment.

16. This By-law incorporates as part of said By-law #197, Schedule "A", attached.

17. This By-law shall come into force and take effect on the day following its final reading.

READ a first time this 19th day of January, 1988.

READ a second time this 19th day of January, 1988.

READ a third time this 19th day of January, 1988.

Mayor
Dennis R. Thomas

Secretary-Treasurer
J. Dreyer