

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA**

BYLAW 26/2010

A BYLAW OF THE TOWN OF MORINVILLE, IN THE PROVINCE OF ALBERTA, TO REGULATE AND CONTROL DOGS, CATS, AND DOMESTIC ANIMALS WITHIN THE CORPORATE LIMITS OF THE TOWN OF MORINVILLE.

WHEREAS, the Municipal Government Act gives the Municipalities the power to enact bylaws and impose fines and penalties for infractions of their bylaws;

And whereas it is desirable to pass a bylaw dealing with the licensing and regulation of Animals in Morinville.

NOW THEREFORE, the Municipal Council of Morinville, Alberta, duly assembled, hereby enacts as follows.

This bylaw may be cited as the Morinville Responsible Pet Ownership Bylaw.

PART I: DEFINITIONS

- 1.0 In this bylaw, except where otherwise defined;
- 1.1 **“AGGRESSIVE”** used as an adjective to describe a dog or cat means a dog or cat which has been declared to be aggressive pursuant to this bylaw.
- 1.2 **“ALTERED”** used as an adjective to refer to an animal, means that the animal has been sterilized by a licensed veterinarian. The term is applied to either a male animal that has been neutered, or a female animal which has been operated on to prevent conception.
- 1.3 **“ANIMAL”** means any bird, reptile, amphibian or mammal excluding humans and/or wildlife.
- 1.4 **“ANIMAL CONTROL OFFICER** means a Community Peace Officer as defined by the Police Act of Alberta Revised Statutes of Alberta 2000 Chapter P-17, current as of December 2, 2010.
- 1.5 **“ANIMAL ESTABLISHMENT/SHELTER”** means any pet shop, grooming shop, animal auction, performing animal exhibition, kennel or animal shelter, **except** this term shall not include veterinary medical facilities, licensed research facilities, and facilities operated by government agencies or licensed animal dealers regulated by the Province of Alberta or Canada.
- 1.6 **“ANIMAL SOUND”** means any sound emitted from an animal or dog which is audible at a point of reception. Without limitation, this term shall include barking, whimpering, whining, howling, yelping, screeching et al.
- 1.7 **“ANIMAL UNDER CONTROL”** means an animal is under control of a person if it is at all times within the sight and hearing range of that person and will react immediately to voice or whistle commands, regardless of surrounding distractions.
- 1.8 **“ANIMAL WHICH IS WILD”** means an animal of wild, untamed, uncultivated, feral, or brutal nature or disposition. An Animal which was once domesticated can become a wild animal.

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- 1.9 **“AT LARGE”** means any dog or cat deemed at large when off the real property of the owner or secured by a leash or lead or under the control of a responsible person. At large does not preclude animals from surrounding boundaries within the county that wander into Morinville.
- 1.10 **“ATTACK”** means an assault resulting in bleeding, bone breakage, sprains, serious bruising, skin puncture, or multiple injuries either resulting in extensive or minimal medical or paramedic intervention.
- 1.11 **“BITE”** means wound to the skin causing it to bruise, puncture, or break.
- 1.12 **“CANADIAN REGISTRY OF THERAPY AND SERVICE ANIMALS (CRTASA)”** means any dog or animal as defined and registered with this organization meaning any guide dog, signal dog or other animal officially trained to provide assistance to an individual with a visible or non-visible disability.
- 1.13 **“CANINE VEHICLE RESTRAINT”** means a proper restraint sold in pet stores, vet clinics and other retail outlets merchandising pet safety.
- 1.14 **“CAT”** means any domestic feline animal (Felis Catus).
- 1.15 **“CHIEF ADMINISTRATIVE OFFICER (CAO)”** means the Chief Administrative Officer of the Municipality of Morinville appointed by Council, or the Director(s) or Department(s) designated by the Chief Administrative Officer.
- 1.16 **“COLLAR”** means any device made of leather, chain, or other material that is capable of having approved dog tags securely fastened to it and designed and solely intended to be worn around the neck of a dog.
- 1.17 **“COMMUNICABLE DISEASE”** means such diseases that can be passed between animals, between humans and between animals to humans as defined and regulated by the Animal Health Act Statutes of Alberta, 2007 Chapter A-40.2 and the Alberta Public Health Act Regulation 238/85 Communicable Diseases Regulation.
- 1.18 **“COMMUNITY PEACE OFFICER”** means a Community Peace Officer as defined in the Peace Officer Act, Statutes of Alberta, 2006 Chapter P-3.5 current as of November 1, 2010 and amended from time to time.
- 1.19 **“COUNCIL”** means the Municipal Council of Morinville, Alberta.
- 1.20 **“DANGEROUS DOG OR CAT”** means a dog or cat that without justification attacks a person or domestic animal causing physical injury or death, or behaves in a manner that a reasonable person would believe poses an unjustified imminent threat or serious injury or death to one or more persons or domestic animals and as defined under the Dangerous Dog Act of Alberta Revised Statutes of Alberta 2000 Chapter D-3 current as of January 1, 2002.
- 1.21 **“DOG”** means **any domestic canine animal** (Canis Familiaris).
- 1.22 **“DOMESTIC ANIMAL”** means animals that have been domesticated for agricultural use, resale, purposes of providing food, or companionship as a household pet.

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- 1.23 **“EXOTIC ANIMAL”** means any animal besides cats, dogs, small rodents, small birds or fish. An animal permitted as a pet through Federal and Provincial Regulations, permitted through pet stores, following the CITES regulations (Convention International and Interprovincial Trade on Endangered Species) set out in Schedule “D” of this bylaw to which is not a wild animal (any animal besides cats, dogs, small rodents, small birds or fish as "exotic").
- 1.24 **“FORMER OWNER”** means the person who at the time of impoundment was the owner of an animal which has subsequently been sold or destroyed.
- 1.25 **“FERRET”** means a domesticated carnivore of the species *Mustela putorius furo*.
- 1.26 **“GUARD DOG”** means a dog used for security purposes on land legally used for industrial or commercial or residential purposes.
- 1.27 **“HOLIDAY”** means any Statutory Holiday as recognized by Morinville.
- 1.28 **“HOT CAR”** means an animal left in a vehicle and considered in distress pursuant to the Animal Protection Act of Alberta RSA 2000, c.A-41.
- 1.29 **“HUMANE MANNER”** means care of an animal under the regulations of the Animal Protection Act of Alberta Revised Statutes 2000 Chapter A-41, current as of November 1, 2010.
- 1.30 **“KENNEL”** means an establishment kept for the purpose of breeding, selling or boarding dogs or cats or engaged in training dogs or cats.
- 1.31 **“KENNEL”** means if an operation of more than 3 dogs/cats are harboured at any one location, shelter, room, dwelling, or place it shall be licensed as a kennel as of **January 1, 2011**. Kennel also means that if a location, shelter, room, dwelling, or place on or before December 31, 2010 has multiple dog/cat ownership, that owner shall have grandfather privileges for those animals.
- 1.31.1 This does not include premises used for the treatment and care of animals as operated by a registered veterinarian, nor does it include the pound as defined in this bylaw. Kennel means compliance with Morinville bylaws, including but not limited to the Land Use Bylaw and Business License Bylaw, such as the necessity for a development permit or business license, nor does it relieve a person’s responsibility to comply with all other provincial and/or Federal regulations.
- 1.32 **“KENNEL FOR BREEDING”** means a kennel maintained for the breeding of dogs and cats. A home occupation permit, business license approved by the Municipality’s Planning Department, Community Peace Officers and vaccination certificates certified by a veterinarian are required prior to continuance of and/or onset of breeder operations.
- 1.33 **“KENNEL FOR COMMERCIAL USE”** means a kennel maintained as a business for the boarding of dogs, and cats, grooming of dogs and cats or one which sells dogs/cats born and raised on the premises. A Commercial Use Kennel is not permitted in residential areas and is subject to license, development permits, business license and other commercial regulations as approved by Morinville’s Planning Department and Community Peace Officers is required prior to continuance of and/or onset of breeder operations.

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- 1.34 **“KENNEL FOR HOBBY USE”** means a kennel maintained for any collection of over 3 dogs. All dogs must be spayed or neutered with a current certificate of vaccination from a registered veterinarian including RABIES.
- 1.35 **“KENNEL INSPECTION”** means upon application for a kennel license, the Community Peace Officer may inspect the facility prior to the issuance of any kennel license. A Community Peace Officer may deny the application if the facility is not in compliance with any or all sections of this bylaw, Provincial Statutes and Regulations, and other applicable bylaws within Morinville. A Community Peace Officer may at any time inspect or cause to be inspected, any kennel and if, in his/her judgment, the same is not being maintained in a sanitary and humane manner, or if records are not properly kept as required by law, the Community Peace Officer shall revoke or suspend, and in case of suspension, may reinstate such license.
- 1.36 **“LEASH”** means a chain or other material capable of restraining the animal on which it is being used.
- 1.37 **“LIVESTOCK”** includes but is not limited to:
- 1.37.1 a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep or goat;
 - 1.37.2 domestically reared or kept deer, elk, or both species of bison (wood and plains);
 - 1.37.3 farm bred fur bearing animals including foxes, mink, chinchilla, et al;
 - 1.37.4 animals of the bovine species;
 - 1.37.5 animals of the avian species including chickens, turkeys, ducks, geese, pheasants;
 - 1.37.6 all other animals that are kept for agricultural purposes but does not include cats, dogs or other domesticated household pets.
- 1.38 **“LICENSING”** means a license tag will be issued to an owner of a dog over 6 months of age providing proof of vaccination on all new dogs registered after January 1, 2011.
- 1.39 **“MICROCHIP”** means an object which may be permanently implanted in a dog/cat by injection or surgical procedure, which is programmed to store a unique and permanent identification number and is capable of using radio-frequency signals to relay the stored information to a scanning device.
- 1.40 **“MITIGATING FACTOR”** means a circumstance which excuses aggressive behaviour of a dog and, without limiting the generality of the foregoing, may include circumstances where:
- 1.40.1 the dog was, at the time of the aggressive behaviour, acting in defence to an attack by a person or domestic animal;
 - 1.40.2 the dog was, at the time of the aggressive behaviour, acting in defence of its young or to a person or domestic animal trespassing on the property of its owner; or
 - 1.40.3 the dog was, at the time of the aggressive behaviour, being teased, provoked, or tormented;

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- 1.40.4 the dog is on active duty as a police dog or a dog registered to a security company providing guard dog service.
- 1.41 **“MUZZLE”** means a humane device designed to fit over the mouth of an animal to prevent the animal from biting. A muzzled animal means an animal wearing a muzzle in the manner anticipated by the manufacturer of the muzzle.
- 1.42 **“MUZZLING AND CONTROL ORDER”** means an order in which an owner of an animal is required to muzzle and control the animal pursuant to Section 403(2)2.3 of this Bylaw and restrained in a manner provided pursuant to Section 403 (all subsections of this bylaw).
- 1.43 **“MORINVILLE”** means the Municipality of Morinville in the Province of Alberta.
- 1.44 **“NUISANCE”** means a dog or cat deemed a nuisance if it: damages, soils, defiles, or defecates on private property other than the owner’s or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, dangerous or offensive conditions; causes a disturbance by excessive barking or other noise making; or chases vehicles or molests, attacks or interferes with persons or other domestic animals on public property.
- 1.45 **“NEUTERED”** means rendered permanently incapable of reproduction.
- 1.46 **“OWNER”** means a person, group of persons, partnership, or association, who has legal title to a dog, cat, or domestic animal, and includes any person who has possession, custody, or harbours the dog, cat, or domestic animal on his premises, either temporarily or permanently. In the case of land, an **OWNER** means any person who is registered under the Land Titles Act R.S.A. 2000, Chapter L-4, and subsequent amendments, as the owner of the land.
- 1.47 **“PARK”** means a public space controlled by Morinville and set aside to be used by the public for rest, recreation, exercise, pleasure, amusement and enjoyment and includes:
- 1.45.1 playgrounds, cemeteries, natural areas, fishing ponds, and storm pond areas, sports fields, pathways, trails, park roadways, golf courses.
- 1.48 **“PATHWAY”** means a multi-purpose thoroughfare or trail controlled by Morinville and set aside for use by pedestrians, cyclists, and persons using wheeled conveyances, which is improved by asphalt, concrete, or brick, whether or not it is located in a park and includes any bridge or structure with which it is contiguous.
- 1.49 **“PLAYGROUND”** means land within Morinville and controlled by Morinville upon which apparatus such as swings, slides and workout stations are placed.
- 1.50 **“PARKLAND”** means any lands identified in the Parkland Bylaw 17/2010.
- 1.51 **“PERMANENT IDENTIFICATION”** means an electronic microchip or tattoo encoded with identification information which has been implanted in an animal by a licensed veterinarian.

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- 1.52 **“PET SHOP”** means an establishment engaged in the business of buying or selling at retail dogs or cats or other domestic animals for profit making purposes and complies with the CITES (Convention on International Trade on Endangered Species) as per Schedule D of this bylaw or other Federal and Provincial regulations as required.
- 1.53 **“POUND”** means a designated place that the Municipality has established for the impounding and keeping of dogs, cats, and domestic animals and meets the current Land Use Bylaw requirements of animal hospitals and shelters.
- 1.54 **“PUP OR PUPPIES”** means any canine animal under the age of 6 months while being harboured on the same property as its natural mother.
- 1.55 **“QUARANTINE”** the strict confinement of an animal in a manner which precludes direct contact with other animals not concurrently in quarantine or persons other than the owner or caretaker. The quarantine shall be conducted under an order issued by the Public Health Official designating the specific place, manner, and provisions of the quarantine as required in the Animal Health Act, statutes of Alberta, 2007, c.A-40-2 current as of January 1, 2009; and the Communicable Diseases Regulation, Alberta Regulation 238/85 Public Health Act.
- 1.56 **“RESTRAINED”** shall have different meanings depending on the type of animal that the term is used in connection with and the location of the animal. In each case restrain, restrains, and restraint shall have corresponding meanings:
- 1.56.1. Where restrained is used in connection with an animal upon which a muzzling and control order has been imposed at its owner’s household, it shall mean:
- a) kept indoors in a manner respective of its environmental needs which prevents contact with persons who have not consented to contact;
 - b) kept in a pen or other outdoor enclosure respective of its environmental needs which prevents the animal from; or
 - c) leaving the owner’s household except in accordance with the provisions of this bylaw and coming into contact with persons who are not at the owner’s household.
- 1.56.2. Where restrained is used in connection with an animal upon which a muzzling and control order has been imposed, referencing that animal at a place other than its owner’s household, it shall mean muzzled, leashed and under the control of a person of at least 16 years of age.
- 1.56.3 Where restrained is used in connection with an animal other than an animal upon which a muzzling and control order has been imposed, at its owner’s household, it shall mean secured in a manner:
- a) which is respective of its environmental needs which prevents the animal from leaning the owner’s household, and
 - b) which prevents contact with persons who have not consented to contact.
- 1.56.4 Where restrained is used in connection with an animal other than an animal upon which a muzzling and control order has been imposed, at a place other than its owner’s household, it shall mean leashed and under the control of a person.

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- 1.57 **“RESTRICTED DOG”** means any dog that has chased, attacked or bitten any person or animal causing physical injury and resulting in a conviction under this bylaw.
- 1.57.1 A dog shall not be deemed restricted or vicious if it bites, attacks, or menaces a trespasser on the property of its owner or harms or menaces anyone who has tormented or abused it;
- 1.57.2 A dog shall not be deemed restricted or vicious if it bites, attacks, or menaces within the confines of its trained duties such as an RCMP dog, or other police service dog or trained and licensed dog attached to a security company licensed to conduct business within Morinville.
- 1.58 **“SERVICE ANIMAL”** means any animal identified under the Service Dogs Act, Statutes of Alberta 2007 Chapter S-7.5 January 1, 2009, Alberta Service Dogs Qualifications Regulation 197/2008 with amendments up to and including Alberta Regulation 1/2010; Blind Persons’ Rights Amendment Act RSA 2000, c.7 (supp); Blind Persons’ Rights Act, R.S.A 2000 C.B-3 or the Canadian Registry of Therapy Animals and Service Animals (CRTASA) including service animals in training and excluding exotic, wild or restricted animals.
- 1.59 **“SCHOOL GROUND”** means that area of land adjacent to a school and that is property owned or occupied by the school board of record, and includes property owned or occupied with another party or Morinville.
- 1.60 **“SEVERE INJURY”** includes any injury resulting in broken bone or bones, disfiguring lacerations, sutures, cosmetic surgery and further includes any other injury as determined to be severe by a Court upon hearing the evidence.
- 1.61 **“S.P.C.A.”** means the Alberta Society for the Prevention of Cruelty to Animals, in the Province of Alberta.
- 1.62 **“UNALTERED”** means an animal either male or female and has not been sterilized.
- 1.63 **“VICIOUS ANIMAL”** means any animal whatever its age, whether on public or private property which has:
- 1.63.1 chased, injured or bitten any other animal or human;
- 1.63.2 damaged or destroyed any public or private property;
- 1.63.3 threatened or created the reasonable apprehension of a threat to a human;
- 1.63.4 which in the opinion of a justice, presents a threat of serious harm to other animals or humans; or
- 1.63.5 been previously determined to be a vicious animal under this bylaw or the Dangerous Dogs Act of Alberta.
- 1.64 **“WADING OR SWIMMING AREA”** means any area designated as an outdoor wading, splashing or swimming area. This shall include any decks surrounding such facility and shall include that area within 20 meters in all directions of the outside dimensions of such facilities unless the park boundary is a lesser distance.

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EACH PROVISION OF THIS BYLAW is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this bylaw remain valid and enforceable.

NOTHING IN THIS BYLAW relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any awful permit, order or license.

WHERE THIS BYLAW REFERS TO ANOTHER ACT, BYLAW, REGULATION OR AGENCY, it includes reference to any act, bylaw, regulation or agency that may be substituted therefor.

All the schedules attached to this Bylaw shall form a part of this Bylaw.

PART II: LICENSING REQUIREMENTS

SECTION 201: Dog Licensing

1. No person shall own or keep any dog within Morinville unless such dog is licensed as provided by this Bylaw.
2. The holder of a dog license must be 18 years of age.
3. The owner of a dog shall ensure that his dog wears the current tag purchased for that dog when the dog is off the property of the Owner.
4. The Owner of a dog shall obtain an annual licence for such dog at such times and in the manner as prescribed in Section 201 (5), 5.1-5.4.
5. The owner of a dog shall:
 - 5.1. obtain a license for such dog on the first day on which the Municipal office is open for business after the dog becomes 6 months of age;
 - 5.2. obtain a license on the first day on which the Municipal office is open for business after he becomes owner of the dog;
 - 5.3. obtain a license for a dog notwithstanding that it is under the age of 6 months where the dog is found running at large;
 - 5.4. obtain an annual licence for the dog on the day specified by the Municipality.

SECTION 202: Vicious/Dangerous/Restricted Animal Licensing

1. No person shall own or keep any vicious/dangerous/restricted animal within Morinville unless such animal is licensed and tattooed or micro chipped as provided by this bylaw.
2. The holder of a vicious dog license must be 18 years of age.
3. The owner of a viscous animal shall ensure that his animal wears the current tag purchased for that animal when the animal is off the property of the owner.

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4. The owner of a vicious/dangerous/restricted animal shall obtain an annual license for such vicious animal at such times and in the manner as prescribed in Section 202 of this bylaw and shall pay an annual fee as set out in Schedule B of this bylaw.
5. The owner of a vicious/dangerous/restricted animal shall be subject to the licensing provisions in Section 201 (5), 5.1-5.4.

SECTION 203: Vicious/Dangerous/Restricted Dog Licensing Procedure

1. When applying for a license under this bylaw, the owner shall provide the following:
 - 1.1 a description of the dog, vicious/dangerous/restricted animal including breed, name, gender and age;
 - 1.2 the name, address and telephone number of the owner;
 - 1.3 where the owner is a body corporate, the name, address and telephone number of the natural person responsible for the dog or vicious animal;
 - 1.4 information establishing that the dog, or vicious/dangerous/restricted animal is neutered or spayed, and has current vaccination records;
 - 1.5 any other information as the Community Peace Officer may require; and
 - 1.6 the annual licence fee for each dog, vicious animal or nuisance animal as set out in Schedule B of this bylaw.
2. No person shall give false information when applying for a licence pursuant to this bylaw.
3. An owner shall forthwith notify the Community Peace Officer of any change with respect to any information provided in an application for a licence under this bylaw.

SECTION 204: Licenses for Owners with Service Animals

1. Notwithstanding Sections 201-202, when a Community Peace Officer is satisfied that a person who is handicapped, or requires a hearing dog, a guide dog, or a dog trained for special skills, there shall be no fee payable by the owner for a licence under the Sections 201-202. A license tag will be issued.
2. An owner requiring a specialized dog must have the following certification:
 - 2.1 a dog certified by the Canadian Institute for the Blind (CNIB);
 - 2.2 a dog certified by Hearing Dogs Canada for the hearing impaired; or
 - 2.3 a dog trained with special skills for anyone with physical or psychological disabilities.

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SECTION 205: License Replacement

1. Upon losing a tag, an owner of a licensed animal shall be required to replace it for the fee set out in Schedule A of this bylaw.

SECTION 206: License Rebates

1. No person shall be entitled to a licence rebate under this bylaw.

SECTION 207: Non-Transferable

1. A license issued pursuant to this bylaw is deemed non transferable.

SECTION 208: Payments

1. Where a license required pursuant to this section has been paid for by the tender of an uncertified cheque, the license is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

SECTION 209: Kennel Licensing Regulations

1. Any owner or keeper of more than 3 dogs 6 months or older, who is not grandfathered within the definition of Kennel for the purposes of this Bylaw, who maintains a breeder kennel, as defined, shall apply to the Municipality for the appropriate kennel license in writing upon forms provided to the applicant by the Municipality. The Municipality shall consider any application for a **Hobby Kennel** or **Breeder Kennel** license through a Development Permit consistent with the regulations within the Morinville Land Use Bylaw.
2. In granting a kennel license the Community Peace Officer shall ensure, in addition to any specific requirements in other Municipal Bylaws and the Development Approval:
 - 2.3.1. the specific site is an appropriate location for the kennel;
 - 2.3.2 the kennel will not adversely affect the neighbourhoods;
 - 2.3.3 the kennel will provide no nuisance to the public;
 - 2.3.4 adequate and appropriate facilities will be provided to assure public safety;
 - 2.3.5 there are no dogs which are classified as restricted either by breed or as a restricted dog under this bylaw or the Dangerous Dogs Act Revised Statutes of Alberta 2000 Chapter D-3 current as of January 1, 2002.
3. Commercial Kennels are subject to the regulations and provisions of the Morinville Land Use Bylaw and Business Bylaw.

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SECTION 210: Kennel Application Information and Requirements

1. All such applications shall be accompanied by the following information:
 - 1.1 name and address of kennel owner;
 - 1.2 location of kennel;
 - 1.3 proof of zoning approval for said location; and
 - 1.4 applicable fee.

SECTION 211: Annual Licenses

1. Persons operating a kennel of dogs that are registered or are eligible for registration with an association incorporated under the *Animal Pedigree Act* (Canada) shall make application to the licence agent for a kennel licence annually.

SECTION 212: Dogs Exempted

1. No person shall own more than 3 licensed dogs over 6 months of age at any given time, unless a kennel license is approved by the Community Peace Officer and is in compliance with all permitting requirements and the current Land Use Bylaw.
 - 1.1 Subject to Clause 1, owners are grandfathered from obtaining a kennel license prior to January 1, 2011 should they own 3 or more licensed dogs.
 - 1.2 Subject to Clause 1, the ownership of the dogs must reside at the residence, and have been licensed previously.
 - 1.3 Subject to Clause 1, all owners licensing more than 3 dogs after January 1, 2011, will be subject to the kennel requirements and permissions.

SECTION 213: Kennel Operation Requirements

1. No person shall:
 - 1.1 permit or cause a dog to be unattended or uncontrolled in an open air run in a kennel between the hours of 9:00 p.m. and 7:00 a.m.;
 - 1.2 allow a dog to run loose in a kennel except in an adequately fenced area;
 - 1.3 permit or cause barking, yelping, howling or other frequent noise to emanate from a kennel.

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2. The owner or operator of a kennel shall:
 - 2.1 ensure that all dogs in the kennel are under control and are restrained from frequent barking, yelping, howling or making other noises;
 - 2.2 keep the kennel at all times in good repair;
 - 2.3 keep the kennel and the yard surrounding it at all times in a clean and sanitary condition and free of vermin and rodents;
 - 2.4 collect all uneaten food from the kennel daily, wrap it and place it in a garbage can for collection;
 - 2.5 dispose of all manure, dung, or refuse and all liquid wastes from the kennel in a lawful and timely manner, so as to curtail any smells and insect predation on the excrement;
 - 2.6 dispose of all hair clippings and waste paper in a sanitary manner; and
 - 2.7 keep the kennel regularly cleaned and disinfected, and free of any offensive or disagreeable odours to the satisfaction of the Medical Health Officer.

SECTION 214: Dog Licensing Records

The Municipality shall keep, at a minimum, a record of the following data regarding licensed dogs: name and address of owner, breed, color, sex, name of each owner's dog, date of registration of the owner's dog(s), the number stamped on each license tag issued to the owner and the amount of the license fee paid.

SECTION 215: Displaying Licenses

The license tag that is issued must be attached to a collar on the dog and worn at all times when the animal is in public unless the animal has an appropriate microchip which shall be on file with the Municipality. The tag shall be deemed invalid if not worn by the dog.

SECTION 216: Licensing Fees

All licenses are subject to the fees outlined in Schedule B attached hereto and forming part of this bylaw. Upon receipt of payment of the license fee, the Municipality shall issue the owner a tag for each dog licensed. No refund or rebate shall be made on any paid license fee.

PART III: RESPONSIBILITY OF ANIMAL OWNERS

It shall be the responsibility of all animal owners to adhere to the following:

SECTION 301: Animals at Large

It shall be the responsibility of all owners of dogs, cats, or domestic animals to ensure that their dog, cat, or domestic animal is not permitted to run at large.

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SECTION 302: Cats at Large

1. The owner of a cat is guilty of an offence if such cat:
 - 1.1 is off the premises of its owner;
 - 1.2 is an intact cat, not confined and housed in the residence of the owner or in a licensed kennel during the whole of the estrus period except for the sole purpose of defecating on the premises of the owner;
 - 1.3 defecates on any public or private property other than the property of its owner and the owner or person in control of the cat fails to immediately remove such defecation;
 - 1.4 is within a site containing playground apparatus and/or sand play area located on public or private property other than the property of its owner;
 - 1.5 damages public or private property; or
 - 1.6 runs at large.
2. No more than 3 cats shall be permitted to remain upon or in any land, house, shelter, room or place, building structure, or premises within the Municipality unless:
 - 2.1 the cats in excess of the limit are under 12 weeks of age and the offspring of a cat or registered cat kennel residing at the same location.

SECTION 303: Dogs in Prohibited Areas

1. The owner of a dog shall ensure that such dog does not enter or remain in or on:
 - 1.1 a school ground, playground, sports field, or cemetery unless on a leash;
 - 1.2 splash parks and other areas which dogs are prohibited by posted signs; or
 - 1.3 a public building unless a registered guide or assistance dog.

SECTION 304: Dogs Permitted on Pathways

1. The owner of a dog may allow such dog to pass along a pathway or cross a pathway, including a pathway that runs through an area designated as an off-leash area, only if such dog:
 - 1.1 is secured by a shortened leash and under owner control; or
 - 1.2 remains under the owner's control at all times ensuring that the dog does not interfere with or obstruct any other pathway user.

SECTION 305: Animal Defecation

1. It shall be the responsibility of all owners of dogs, cats, or domestic animals to remove their animal's defecation immediately when placed on any public or private property, unless it is the owner's property.

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SECTION 306: Animals Disturbing the Peace

1. It shall be the responsibility of all owners of dogs, cats, or domestic animals to ensure that their dog, cat, or domestic animal is not allowed to howl, bark excessively, or in any other manner disturb the quiet of any person(s). Any person(s) so aggrieved may provide a witness statement and swear out a statement charging the owner with a breach of this bylaw.
2. Whether any sound annoys or disturbs a person, or otherwise constitutes objectionable noise, is a question of fact to be determined by a court hearing, a prosecution pursuant to this section of the bylaw.

SECTION 307: Dangerous and Destructive Animal Behavior

It shall be the responsibility of all owners of dogs, cats, or domestic animals to ensure that their dog, cat, or domestic animal does not carry out the following:

1. Unattended Animals
 - 1.1 The owner of an animal shall ensure that such animal shall not be left unattended for an extended period of time while tethered or tied on premises where the public has access whether the access is express or implied.
 - 1.2 The owner of an animal shall ensure that such animal shall not be left unsupervised while tethered or tied on private property.
 - 1.3 The owner of an animal shall not enter into public buildings with an animal unless the animal is a guide dog, assistance dog or helping dog as defined in this bylaw.
2. Scattering Garbage
 - 2.1 The owner of an animal shall ensure that such animal shall not 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.
3. Threatening Behaviors
 - 3.1 The owner of an animal shall ensure that such animal shall not:
 - 3.1.1 bite bark at or chase stock, animals, bicycles, automobiles or other vehicles;
 - 3.1.2 chase or otherwise threaten a person or persons, whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
 - 3.1.3 cause damage to property or other animals; whether on the property of the owner or not;
 - 3.1.4 do any act that injures a person or persons whether on the property of the owner or not;

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- 3.1.5 bite a person or persons whether on the property of the owner or not;
- 3.1.6 attack a person or persons whether on the property of the owner or not;
or
- 3.1.7 attack a person or persons whether on the property of the owner or not
causing severe physical injury.
- 3.2 Cause death or severe injury to another animal.
- 4. No person shall use or direct an animal to attack, chase, harass or threaten a person or animal.
- 5. Community Peace Officers, pursuant to the Peace Officer Act, Statutes of Alberta, 2006 Chapter P-3.5 current as of November 1, 2010 and amended from time to time are exempt from this section during the course of their duties in the pursuit or apprehension, or investigation of an offense whereby a police service dog is deployed.

SECTION 308: Animals in Distress

- 3.1 No person shall in any way permit an animal to be in distress in accordance with the Animal Protection Act, Revised Statutes of Alberta 2000 Chapter A-41 Current as of January 1, 2009 and amended from time to time.

PART IV ANIMAL RESTRICTIONS AND CONFINEMENTS

It shall be the responsibility of all owners of dogs, cats, or domestic animals to:

SECTION 401: Control of Dogs and Cats in the Estrus Cycle

- 1. If a Community Peace Officer determines that a dog or cat in her estrus cycle is attracting other dogs or cats to the area, which conditions cause disturbances on, or damage to neighboring property or public areas, he/she may impound the dog or cat for the duration of the estrus cycle, releasing it thereafter to the owner or keeper upon payment of penalty fees, if applicable, pick up fees, confinement fees, and or other expenses incurred during the impoundment, in order to provide for the health and wellbeing of the dog or cat.
- 2. As an alternative, a Community Peace Officer may require the owner, or keeper, place or keep such a dog or cat, while in the estrus cycle, in a kennel or remove it from the area.
- 3. Failure to comply with the removal order of the Community Peace Officer shall be a violation of this bylaw, and the dog or cat will then be impounded as prescribed by this bylaw.

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SECTION 402: Control of Animals with Communicable Diseases

It shall be the responsibility of all owners to:

1. ensure that their dog, cat, or domestic animal that is suffering from a communicable disease as defined and controlled and directed by the Animal Health Act, statutes of Alberta, 2007, c.A-40-2 current as of January 1, 2009; and the Communicable Diseases Regulation, Alberta Regulation 238/85 Public Health Act is locked up securely and not allowed to come into contact with animals or humans in a public place other than the owner's or veterinarian and that Community Peace Officers are notified.

SECTION 403: Control of Dangerous Dogs

1. An owner of a dangerous dog shall secure and maintain any dog deemed dangerous or identified in the Dangerous Dog Act of Alberta Revised Statutes of Alberta 2000 Chapter D-3 current as of January 1, 2002.
2. At all times while a dangerous dog is on the premises of its owner, the owner shall:
 - 2.1 Keep such dog confined indoors under the effective control of a person over the age of 16 years or confined in a secure enclosed and locked pen or other structure constructed to prevent the escape of the dog and capable of preventing the entry of young children;
 - 2.2 Such pen 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 30 cm with proper shade and shelter provision for the dog's proper comfort;
 - 2.3 When any such dog is off the premises of the owner, the owner shall securely muzzle such dog and either harness it or leash it securely to effectively prevent it from attacking or biting a person or another animal;
 - 2.4 The owner of a dangerous dog shall take all necessary steps to ensure that such dog does not bite, chase, or attack any person or other animal, whether the person or animal is on the property of the owner or not;
 - 2.5 The owner of a guard dog must either keep such dog confined indoors or confined in a securely enclosed fenced area, constructed to prevent the escape of the dog and capable of preventing the entry of young children. The fence shall have a minimum height of six (6) feet. The owner shall post signs on the perimeter of the fence, warning of the presence of guard dog;
 - 2.6 Guard dogs will only be permitted in commercial or industrial districts;
 - 2.7 Dangerous and guard dogs will NOT be permitted in off leash areas;
 - 2.8 Owners will promptly notify the Community Peace Officer of any sale, gift, transfer or death of a vicious animal;

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- 2.9 Promptly report to the Community Peace Officer any animal that bites a person and or is suspected of communicable diseases, which may result in the quarantine of said animal at the direction of the Community Peace Officer. Any such quarantined animal shall not be released or destroyed except by written permission of a veterinarian. At the discretion of the Community Peace Officer such quarantine may be on the premises of the owner or the Pound Keeper in accordance with the Provincial acts as defined by Section 402(1) of this bylaw;
- 2.10 Upon demand made by the Community Peace Officer surrender any animal which has bitten a human or that is suspected of having been exposed to rabies or other communicable diseases as defined by Section 402(1) of this bylaw for supervised quarantine. The expense of any such quarantine shall be the responsibility of the owner. The animal may be reclaimed by the owner if determined by a veterinarian to be free of rabies upon payment of confinement expenses and compliance with the licensing provisions of this bylaw.
3. If a Community Peace Officer, as defined by the Peace Officer Act of Alberta determines that a dog is a dangerous dog, either through personal observation, after an investigation initiated by a complaint, he may in writing;
 - 3.1 inform the owner that the dog has been determined to be a dangerous dog;
 - 3.2 require the owner to keep such do in accordance with the provisions of Section 403 of this bylaw; and
 - 3.3 inform the owner that if the dangerous dog is not kept in accordance with the provisions of this bylaw the owner will be fined or subject to enforcement action pursuant to the offences and penalties section of this bylaw, or the applicable Provincial and/or Federal Statutes.
4. If a Community Peace Officer as defined by the Peace Officer Act of Alberta further believes that in addition to the remedies set forth in this bylaw if a dangerous dog or guard dog is not being kept in accordance with this bylaw, he may make application for an order directing that such dog be kept in a proper way by the owner or that the dog be destroyed.

SECTION 404: Bee-keeping

1. No person shall keep bees within the Municipality.

PART V: OBSTRUCTION OF COMMUNITY PEACE OFFICER

SECTION 501: Interfering with Community Peace Officer Activities

1. It shall be the responsibility of all persons to:
 - 1.1 not hinder, delay, or obstruct any person or persons employed by the Municipality and engaged in taking to the pound any dog, cat, or domestic animal under the provisions of this bylaw;
 - 1.2 not remove or attempt to remove any dog, cat, or domestic animal from the possession of the Community Peace Officer, Pound Keeper, or any other persons authorized to enforce any of the provisions of this bylaw;

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- 1.3 not unlock, unlatch, or otherwise open a vehicle, container, or enclosure in which animals have been placed for impoundment; and
- 1.4 not assist any dog, cat, or domestic animal to escape capture by the Community Peace Officer including inducing or persuading any dog, cat, or domestic animal to enter a house or other place where it may be safe from capture by the Community Peace Officer or other authorized persons.

SECTION 502: Other Responsibilities

- 1. It shall be the responsibility of all persons to:
 - 1.1 not tease, torment, or annoy any dog, cat, domestic animal or livestock;
 - 1.1.1 not to open gates or fences or any other enclosure allowing animals to run at large; or
 - 1.1.2 not to tease animals in enclosures, kennels, fences or throw objects or poke around the enclosure.
 - 1.2 not lead, ride, or drive livestock on any sidewalk, boulevard, street, or parkland in Morinville with the exception of ceremonial events involving the RCMP Musical Ride, Military Horse Mounted Performances, Circuses or other special performances designed to entertain the public;
 - 1.3 not have, maintain, raise, or feed domestic animals in the Municipality except in areas that may be designated by Council or the Provincial Health Officer from time to time. Provisions are granted for the having, raising, or feeding of exotic animals as defined by this bylaw and in adherence with Schedule D of this bylaw and all applicable Federal and Provincial Regulations;
 - 1.4 not to maintain pigeons or poultry banded or otherwise;
 - 1.5 keep yards cleaned and deodorized - at all times including animal pens, kennels, confinements as required under sections 208, 307, 402, 403 of this bylaw together with any yard less than 200 sq. mtrs (2,152.8 sq. ft) in which the animals are allowed to run. It shall be:
 - 1.5.1 kept at all times free from manure and other refuse and shall be properly cleaned or dug up; and
 - 1.5.2 deodorized by means of chloride of lime or other suitable deodorant permitted by the laws of the Province of Alberta and the regulations made thereunder.
 - 1.6 owning any animal or species deemed dangerous or objectionable to a Medical Health Officer or a Community Peace Officer is prohibited within the Municipality and is subject to Federal and/or Provincial regulations with respect to enforcement.

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SECTION 503: Motor Vehicle Operator Responsibilities for Striking Domestic Animals:

1. Any motor vehicle operator, who knowingly strikes a domesticated animal must immediately stop and make an attempt to make oneself known to animal owner. If unable to locate owner, motor vehicle operator shall notify the Community Peace Officer and/or the RCMP immediately.

SECTION 504: Motor Vehicle Operator Responsibilities for Transporting Animals

1. No person shall transport any animal in the back of a motor vehicle in a space intended for any load on the vehicle on a public way.
2. No person shall be exempt from existing legislation *Traffic Safety Act* 115(2)(i) which allows Community Peace Officer and/or the RCMP to charge a driver who permits anything including a pet, to occupy the front seat of the vehicle such that it interferes with the driver's access to the vehicle controls and the safe operation of the vehicle.
3. Notwithstanding Section 504 (1),(2) a person may allow an animal 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 animal is:
 - 3.1 in a fully enclosed trailer;
 - 3.2 in a topper enclosing the bed area of a truck and properly secured by an approved canine vehicle restraint in such a manner that it is not standing on bare metal and not in danger of strangulation;
 - 3.3 contained in a ventilated kennel or similar device securely fastened to the bed of the truck; or
 - 3.4 securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the vehicle.
4. For the purposes of this section, roadway means any street or highway, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.
5. 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:
 - 5.1 not being driven or was not parked by the owner, and
 - 5.2 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.

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SECTION 505: Animals in Motor Vehicles

1. The owner of an animal left unattended in a motor vehicle shall ensure:
 - 1.1 the animal is restrained in a manner that prevents contact between the animal and any member of the public;
 - 1.2 the animal has suitable ventilation; and
 - 1.3 the animal is not left in a vehicle if the weather conditions are not suitable for containment of an animal whether they be hot or cold.
2. Owners leaving an animal in distress will be subject to fines and penalties scheduled within this bylaw and any or all provincial statutes.

PART VI: POUND KEEPING AND IMPOUNDMENT

Section 601: Pound Keeping

It shall be the responsibility of the CAO to establish, make provisions for, or enter into an agreement to provide a pound for the impounding and keeping of dogs, cats, or domestic animals captured, as the Alberta S.P.C.A, The Dangerous Dogs "Act", The Animal Health Act, The Communicable Diseases Regulation of Alberta, The Alberta Health Act, The Stray Animals Act, The Bee Act, The Livestock Identification and Commerce Act Statutes of Alberta, 2006 Chapter L-16.2 current as of November 1, 2010, The Livestock and Livestock Products Act Revised Statutes of Alberta 2000 Chapter L-18, Current as of January 1, 2009. shall approve of:

1. The designated and contracted pound shall:
 - 1.1 receive and impound any dog or cat seized under the provisions of this Bylaw, or any animal surrendered, or any animal deposited as a stray;
 - 1.2 keep a record of such dog or cat or animal on a form approved in conjunction with the Municipality and the Pound Keeper;
 - 1.3 ensure that any animal so impounded is provided with sufficient food and potable water to maintain the health and comfort of the animal;
 - 1.4 provide the services of a veterinarian as soon as practical for any animal which appears to be ill or injured;
 - 1.5 ensure that no animal while impounded is unnecessarily mistreated;
 - 1.6 ensure that all animals unclaimed are humanely adopted as is possible or euthanized under joint consultation with the veterinarian and Community Peace Officers with the authority of the Community Peace Officer authorizing euthanasia for unclaimed and unadoptable animals; and
 - 1.7 set fees for impound to which the Municipality will also prescribe to the owners. The Municipality at its discretion may impose additional surcharges for recovery of costs.

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2. In order to protect the pound and the health and welfare of both the animal being received and any other animals within the pound, where the Pound Keeper is a registered veterinarian, they may examine, vaccinate, and treat any animal entering the pound.
3. Any animal which has been placed in the pound, shall be kept therein for a period of not less than 3 clear days, exclusive of Statutory Holidays and Sundays unless claimed prior by the owner or otherwise disposed of in accordance with this bylaw.
4. An owner may redeem an impounded animal upon payment to the Municipality of all fines, licensing fees, impound (bail) charges, veterinary and medical services, and costs as prescribed by this bylaw and shall take evidence of said payments to the pound as proof of payment and authorization of release of said animal.
5. An owner may redeem an impounded animal on a Saturday at the pound upon payment to the pound of all fines; impound (bail) charges, veterinary and medical services and costs as prescribed by the bylaw. The Pound Keeper shall forward a statement of paid charges to the Municipality.
6. The Municipality shall follow-up and bill any owners of released animals where there is evidence of lapsed, delinquent, or non-existent licensing.
7. In any case where a stray animal is found to be ill or has been injured and it has been determined by a veterinarian or other competent person that the animal should be euthanized to prevent needless suffering, the animal will be euthanized as soon as practicable.
 - 7.1 The charges for the euthanization/cremation will be borne by the Municipality only if an owner is not identified. Owners will be billed for the humane service of euthanization based on Pound Keeper costs.
8. Any dog or cat that has been impounded for longer than the period of time prescribed in this bylaw may at the discretion of the Pound Keeper and in conjunction with the Community Peace Officer be:
 - 8.1 spayed or neutered, micro-chipped and adopted or;
 - 8.2 sold upon payment of all applicable fees and services; or
 - 8.3 be euthanized by a veterinarian.
9. The Pound Keeper shall if the animal is wearing a tag or other identification provide the information to the Community Peace Officer who will make a conscientious effort to notify the owner and provide said owner a reasonable amount of time to claim the animal before disposing or adopting said animal.
10. Consistent with any existing agreement or contract with the Municipality, the Pound Keeper may establish procedures for the adoption of animals that have been kept for the required minimum of 72 hours and may establish related fees.

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11. The Pound Keeper at their sole discretion may receive any other stray animals from the public other than dogs and cats. Where the Pound Keeper does receive a stray the Pound Keeper will keep all records, ensure to the comfort and safety of the animal and provide medical assistance to the animal.

PART VII: IMPOUND, RELEASE, TRAPPING AND CAPTURING

SECTION 701: 72 Hour Claim and Release

The owner or keeper of an animal impounded for being at large shall be entitled to redeem such animal within 72 hours from the time of impoundment, excluding statutory holidays, and days during which the pound is otherwise closed, upon paying the Pound Keeper the applicable maintenance charges prescribed, and any other damages, fines and expenses according to law.

SECTION 702: Owner to claim animal - before disposal

The owner of an animal that has been impounded shall, upon application to the Pound Keeper, claim the animal before the Pound Keeper is entitled to dispose of the animal according to the provisions of Section 6 Pound Keeping and Impoundment of this by-law.

The Municipality may add fees and charges to the tax roll of any property for which all of the owners are responsible for paying the fees and charges. The Municipality may recover costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes.

SECTION 703: Compensation to animal owner prohibited

1. No compensation, damages, fees or any other sum of money on account of or by reason of the impounding, euthanizing or other disposal of the impounded dog or other animal in the course of the administration and enforcement of this by-law shall be:
 - 1.1 recovered by any owner or other person; or
 - 1.2 paid by the Pound Keeper or the Municipality.

SECTION 704: Request for Animal Traps

1. A person who takes control of a stray dog or cat through the request of an approved trap delivered by the Community Peace Officer shall sign a release form and care for the animal in a humane manner while in the trap. Traps other than provided by the Community Peace Officer shall be prohibited.
2. Persons not supplying the basic necessities of shelter, comfort, food and water for the animal in the trap will be charged under the appropriate provincial statutes and related sections of this bylaw.
3. Persons catching an animal in a trap will notify the Community Peace Officer as soon as possible. The animal will be transported to the pound by the Community Peace Officer. At all times while waiting for transport, the basic necessities of comfort, food, water and shelter will be supplied by the person in control of the trap.

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SECTION 705: Pound fees, payment, and proof of ownership

1. Where an animal is claimed from the Pound Keeper, the owner shall provide proof of ownership of the animal, as well as proof of payment for a current dog licence, and compensate the Pound Keeper according to the sections of this bylaw, as amended:
 - 1.1 should the animal not have a license and no proof can be presented to the Pound Keeper, the Pound Keeper shall identify the lack of licensing information on the Pound Keeper's form and the Community Peace Officer shall prescribe the licensing fee to the owner;
 - 1.2 should the animal be a cat or other domestic animal not required to be licensed by this bylaw, the owner's visual and verbal identification will confirm ownership;
 - 1.3 should the animal have a tattoo or microchip, the at large fine will be reduced by 50%;
 - 1.4 should the dog be licensed, the at large fine will be reduced by 50%; or
 - 1.5 should the animal be from outside the Municipality, an at large fee and all pound fees shall apply.

PART VIII: ENFORCEMENT

SECTION 801: Inspections

1. Subject to the entry notice provisions of the Municipal Government Act, R.S.A. 2000 C. M-26, a designated officer of the Municipality bearing proper identification, may enter a premises to conduct an inspection in order to determine whether or not this bylaw or an order issued pursuant to this bylaw is being complied with.
2. No person shall interfere with or attempt to obstruct a Community Peace Officer or RCMP Member who is attempting to conduct an inspection pursuant to Section 801(1).

Section 802 Notification and Surrender

1. A person who takes control of any stray dog, cat or vicious animal shall notify the Community Peace Officer and provide any information.
2. A person who takes control of any stray dog, cat or vicious animal shall surrender the animal to the Community Peace Officer.

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SECTION 803: Authority

1. The Pound Keeper and/or the Community Peace Officer may:
 - 1.1 receive animals into protective care pursuant to fire, flood or other reasons;
 - 1.2 retain the animals temporarily;
 - 1.3 charge the owner fees pursuant to this bylaw for all costs incurred;
 - 1.4 at the end of protective care period if no other arrangements are made between the owner and the Community Peace Officer, treat such animals as impounded animals;
 - 1.5 **NOT** sell, euthanize or otherwise dispose of an impounded animal or vicious animal until an animal is retained in the Pound for:
 - 1.5.1 7 days after the owner has received notice or is deemed by Part 6 Section 601(9) to have received notice that the animal is in the pound and 10 days if the animal is a purebred or the identification is known; or
 - 1.5.2 72 hours if the name and address of the owner is not known.
 - 1.6 The Community Peace Officer may retain an animal for a longer period if in his/her opinion the circumstances warrant the expense or he/she has reasonable grounds to believe that the animal is a continued danger to persons, animals, or property.

PART VIII: POWERS OF COMMUNITY PEACE OFFICERS

SECTION 901: General Penalty Provisions

1. Every owner of an animal who contravenes any of the provisions of this bylaw by:
 - 1.1 doing any act or thing which the person is prohibited from doing, or
 - 1.2 failing to do any act or thing the person is required to do, is guilty of an offence.

SECTION 902: Violation Tickets and Penalties

1. Where a Community Peace Officer believes that a person has contravened any provision of this bylaw, he/she may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34.

SECTION 903: Vicious Animal Fines

1. The minimum fines on summary conviction in respect to a contravention of this bylaw with respect to Vicious Animals shall be the same amounts as shown in Schedule B regarding Vicious Animals.

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SECTION 904: Continuing Offences

1. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such day.

SECTION 905: Orders by a Justice

1. A Justice, after convicting an owner of an offence under this bylaw may, if the Justice considers the offence sufficiently serious, direct, order, or declare one or more of the following:
 - 1.1 that the owner prevent the animal from doing mischief or causing the disturbance or nuisance complained of;
 - 1.2 that the animal is a vicious animal;
 - 1.3 that the animal be destroyed;
 - 1.4 that the owner be prohibited from owning any animal for a specified period of time; or
 - 1.5 that the owner pay a fine.

SECTION 906: Proof of Licence

1. The onus of proving a person has a valid and subsisting licence is on the person alleging the licence.
2. The onus of proving the age of an animal is on the person alleging the age.

Section 907 CERTIFIED COPIES OF RECORDS

1. A copy of a record of the Municipality, certified by the Community Peace Officer as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature thereof.

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SECTION-604: Severability

If any Section or parts of this bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this bylaw shall be deemed to be separate and independent there from and to be enacted as such.

That Bylaw 11/2008 is hereby rescinded.

That this Bylaw shall be reviewed in March 2012.

That this Bylaw shall come into full force and effect upon the final passing thereof.

READ a first time the 25th day of January, 2011

READ a second time the 8th day of March, 2011

READ a third time and finally passed the 22nd day of March, 2011

R. Lloyd Bertschi
Mayor

Edie Doepker
CAO

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Schedule A – License and Fees

License Fees for Dogs	Fee Structure
Neutered/Spayed Dog	\$20.00/year, plus \$1.00/replacement
Unaltered Dog	\$50.00/year, plus \$1.00/replacement
Hobby/Breeder Kennel License	\$150.00 per year plus \$2.00 replacement
Commercial Kennel License	\$450.00 per year in addition to the individual dog licensing fees
Guide/Helper/Specialized Personal Assistance Animals including service animals in training from an approved and accredited organization.	No Charge
Restricted/Vicious Dog	\$175.00 per year plus \$1.00 license replacement
Pound Fees	Pound Fees: Pound fees for dogs and cats will be at the current rates established by Morinville's pound service provider.
Euthanasia	\$125.00.00 per animal, owner verified

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Schedule B – Penalties and Fines

Bylaw Section	Offence	Specified Penalty
201, 202(1), 208	Give false information when applying for license	175.00
202(1)	Failure to tattoo or implant a vicious dog upon in conjunction with licensing	800.00
211	Dogs exceeding without kennel license	100.00
216	Dog not displaying license	60.00
301	Animals at Large excepting Cats	60.00
302(1.1-1.6)	Cats at Large	120.00
302(2)	Cats exceeding without kennel license	100.00
303 (1),1.1-1.3	Dogs in Prohibited Areas	100.00
304(1.3)	Dog not under control on Pathway	50.00
305	Defecation by animal	100.00
306	Animals Disturbing the Peace	100.00
307(1)	Unattended Animals in Public Place	100.00
307(2)	Animals scattering garbage	75.00
307(3)1,1.1	Animal bite, bark or chase stock, animals, or vehicles	150.00
307(3)1,1.2	Animal Chase or Threaten Persons	200.00
307(3)1,1.3	Animal Cause Damage to Property	200.00
307 (3)1,1.4	Animal injuring a person	200.00
307(3)1,1.5	Animal bite a person	300.00
307(3)1,1.6-1.8	Animal attack a person	500.00
307(3)1,1.9	Animal cause death to another animal	1000.00
308	Animals in Distress	350.00 plus applicable Provincial Penalties
401	Control of Cats and Dogs in Estrus	100.00
402	Control of Animals with Communicable Diseases including failure to quarantine	500.00 plus applicable Provincial penalties
403(2)2.1-2.2	Failure to confine vicious animal or construct improper pen or structure	800.00
403(2)2.3	Failure to keep vicious animal muzzled, harnessed or leashed properly	800.00
403(2)2.7	Fail to notify Community Peace Officer of sale, gift, transfer, or death of vicious animal	350.00
403(2)2.9	Fail to confine, report bites or animals suspected of communicable diseases	300.00 plus applicable Provincial Statutes
404(1)	Keeping of Bees within Morinville	200.00 plus applicable provincial statutes
501(1)5.1	Obstruct or interfere with an officer	300.00
501(1)5.3	Remove or attempt to remove an impounded animal	500.00
501(1)5.4	Assisting any animal to escape capture	500.00
502(1) 1.1(1.1.1-1.1.2)	Tormenting and teasing animals including throwing and poking	250.00

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502(1.4)	Keep livestock in prohibited areas	100.00
502(1.6)1.6.1-1.6.2	Unclean animal runs, enclosures and improper disposal of manure in yards	250.00
503(1)	Motor vehicle operator striking domestic animals and not rendering assistance	100.00
504(1-3)3.1-3.4	Transporting Animals in vehicles	300.00
505	Animals unattended in Motor Vehicles	250.00
703 (1) 1.3-1.4	If a cat is micro chipped/tattooed, or a dog is licensed, the fine for Section 301 and 302 will be half the cost outlined herein.	30.00 for dogs and 60.00 for cats

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Schedule C – Pound Keeper Fees

Pound Keeper fees will be set out in a contract between the Pound Keeper and Morinville subject to renewal stated within contract renewal clauses.

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Schedule D

CITES (Convention on International Trade on Endangered Species) Appendices 1, 2, and 3 as updated by CITES regularly or amended.