

BYLAW 1414

**OF THE TOWN OF WHITECOURT
PROVINCE OF ALBERTA**

**A BYLAW IN THE TOWN OF WHITECOURT, IN THE PROVINCE OF ALBERTA, TO
REGULATE THE CONTROL AND LICENSING OF DOGS**

WHEREAS, Council deems it expedient and proper to consolidate the Bylaws pertaining to control and licensing of dogs while making some changes.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, being Chapter M-26 1 of the Statutes of Alberta 2000, and amendments thereto, the Municipal Council of the Town of Whitecourt, in the Province of Alberta, duly assembled, enacts as follows:

LICENSING

1. That any person within the limits of the Town of Whitecourt (hereafter referred to as the Town) who owns, possesses, or harbours any dog and neglects or refuses to take out a license therefore, as provided in this Bylaw, shall be in violation of this Bylaw.
2. That the owner, possessor, or harbourer of any dog for which a license has been obtained under this Bylaw shall place a collar, with the current year's license attached, around the dog's neck.
3. That upon the arrival of visitors at any dwelling unit, the owner, possessor, or harbourer shall within five working days of arrival, register the dog(s), accompanied by the visitor, at the Town Office, providing such specifics as may be requested. This registration will be valid for one month only at which time registration must be renewed. Failure to register a visitor's dog(s) as noted may result in assessment of a fine for each dog as outlined in Clause 12.
4. All licenses are non-transferable and non-refundable.
5. That the owner, possessor, or harbourer of any dog who are found to knowingly provide false information when purchasing a license will have the license cancelled and will then be required to pay full price for the appropriate license.

OFFENCES

6.
 - a. No person who owns or is in possession of a dog and no person who harbours any dog or suffers any dog to remain about his house or premises, shall allow the dog to run at large in the Town at any time.
 - b. For purposes of this Bylaw, a dog shall be deemed to be running at large if it is found on any public street, lane, alley, or other public place in the Town or is on any private property without the permission of the occupant thereof, and is not leashed or controlled by some other physical means; with the exception of Town designated off-leash areas.
 - c.
 - i. No person who owns or is in possession of a dog shall permit the dog to be on a playground, park or sportfield, with exceptions as noted within this Bylaw.
 - ii. The Community Services Department shall post signs to indicate the playground, park and sportfield areas where dogs are not permitted.
 - iii. Where a dog is found on a playground, park or sportfield area, the owner, possessor, or harbourer of the dog shall be deemed to have failed to comply with the provisions of Clause 6 (a.).
 - iv. Dogs are prohibited at Rotary Park, with the exception of designated trails and pathways, where they must be under leash or other means of physical control.
7.
 - a. That it shall be an offence for any person who possesses or harbours a dog in the Town to allow the dog to disturb neighbouring residents by barking, howling or other noise.
 - b.
 - i. For the Town to proceed against a person contravening Clause 7 of this Bylaw, the complainant must have spoken to the animals owner about the problem, with no improvement noted; and

- ii. The complainant must complete a Record of Disturbance form, as per the attached Schedule "A".
 - c. A person who contravenes Clause 7 (a.) of this Bylaw is guilty of an offence and may be issued a fine by way of an offence ticket in the amount of \$50.00.
8. That a maximum of two dogs shall be allowed to harbour or remain in any dwelling unit, with the exception of a puppy(s) up to the age of 12 weeks of age; and with the exception of Clause 3.
 9.
 - a. That all licenses granted under this Bylaw, unless they are expressly granted for a shorter period, shall expire on the 31st day of December of the year in which the license is issued.
 - b. Any person purchasing a license until the 1st day of July in the current license year shall be considered to have purchased a license for the entire year.
 - c. Any license voluntarily purchased after the 1st day of July shall be charged a payment equal to one-half of the license amount required.
 - d. During the month of December, any person voluntarily purchasing a license for the following year shall receive a 25% discount off the license amount required.
 10. That a license shall be purchased by the owner, possessor, or harbourer of any dog within the Town, from the Town Office, as follows:
 - a. Each voluntary license purchase throughout the year shall be at a cost for each dog at a rate as set out in the Town of Whitecourt's current Fees Policy.
 - b. Licenses purchased after apprehension of the dog by the Town or discovery of an unlicensed dog being possessed or harboured shall not be eligible for any discounts, notwithstanding Clause 8.
 - c. Notwithstanding Clause 8, new residents will be granted 30 days grace from date of arrival in Whitecourt during which time the required license can be purchased voluntarily as outlined in Clause 10.
 - d. A license purchased during the preceding year shall be considered sufficient until January 31st of the next year, after which time the license for the preceding year is expired and the dog is considered unlicensed.
 11. That any dog found running at large contrary to the provisions of this Bylaw may be followed to his home by an appointed official of the Town, and the owner, possessor or harbourer of the dog may be issued a fine by way of an offence ticket. Any owner, possessor, or harbourer of a dog who allows the dog on a playground may be issued a fine by way of an offence ticket. The offence tickets will be set as follows during any 24-month period:

First Offence	\$ 75.00
Second Offence	\$125.00
Third Offence	\$200.00
Thereafter	\$250.00
 12. That upon discovery of an unlicensed dog being owned, possessed, or harboured by any person in the Town, that person may be issued a fine, by way of an offence ticket, for \$25.00, and the owner, possessor or harbourer of the dog shall purchase the necessary license as outlined in Clauses 9 and 10 within 45 hours of the discovery. Failure to purchase a license may result in assessment of the same fine noted in this clause upon expiration of each 48-hour period.
 13. If a dog defecates on any public or private property other than the property of its owner, the owner shall remove such defecation immediately or shall be guilty of an offence. A person who contravenes this Clause is guilty of an offence and may be issued a fine by way of an offence ticket in the amount of \$50.00.

IMPOUNDMENT OF DOG(S)

14. That the Town shall provide an area with suitable buildings and/or enclosures for the safe and humane impounding of dogs, either inside or outside the boundaries of the Town, and the Town shall ensure that such buildings and/or enclosures are maintained in a clean and sanitary manner.

15. That the Town shall be responsible for the catching and impounding of dogs and may engage such assistants as are necessary.
16. That the Town shall provide and supply to each and every dog impounded under the provisions of this Bylaw sufficient food and water during the time the dog remains impounded.
17. That the Town shall ensure that a list of all dogs impounded are posted daily on the bulletin board at the Town Office.
18. That any dog found running at large, contrary to the provisions of this Bylaw, may be impounded and confined in the Whitecourt pound, and the impounded dog shall remain confined for up to three working days.
19.
 - a. That any dog impounded and confined in the Whitecourt pound becomes the property of the Town after the dog has been impounded for three working days.
 - b. That any dog not redeemed within three working days may be sold by the Town to any person paying the necessary adoption fees as follows:

Spayed or neutered dog:	\$50.00 + vaccination shots
Dog not spayed or neutered:	Cost to spay or neuter + vaccination shots

The costs to spay or neuter and for vaccination costs shall be as outlined on the attached Schedule "B" to this Bylaw.

If a dog is not sold or redeemed as aforesaid within three working days after being first impounded, the Town will dispose of such pet.
20. That any dog impounded and confined in the Whitecourt pound may be redeemed as follows:
 - a. If the dog is licensed, upon payment of the applicable pound fee and feeding costs as set out in the Town of Whitecourt's current Fee Policy.
 - b. If the dog is unlicensed, upon payment of the applicable pound fee as outlined in Clause 21 and upon purchase of the necessary license as outlined in Clause 10, and a fine of \$25.00 for harbouring an unlicensed dog, plus feeding costs as set out in the Town of Whitecourt's current Fee Policy.
21. That the pound fee shall be set as follows during any 24 month period:

First Offence	\$ 75.00
Second Offence	\$125.00
Third Offence	\$200.00
Thereafter	\$250.00


GENERAL

22. That any dog, whether licensed or unlicensed, and known to be rabid, may be destroyed if found within the limits of the Town.
23. That Council or a Committee of Council will consider and decide upon all appeals submitted in writing regarding enforcement of this Bylaw.
24. That Bylaws 1147, 1147-1, and 1147-2 are rescinded in their entirety.
25. That this Bylaw shall take effect upon the date of final passing thereof.

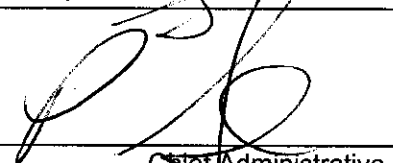
Read a first time this 28th day of May 2007.

Read a second time this 25th day of February 2008.

Read a third and final time this 28th day of April 2008.



 Mayor



 Chief Administrative Officer

Signed by the Mayor and CAO this 30 day of April, 2008

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OF THE TOWN OF WHITECOURT
PROVINCE OF ALBERTA

SCHEDULE "A"
RECORD OF DISTURBANCE

Complainant	Source of Disturbance
Name: _____	Animal Owner: _____
Address: _____	Address: _____
Postal Code: _____	Description of Animal(s): _____
Residential Phone: _____	_____
Business Phone: _____	_____

DATE	TIME	COMMENTS
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

NOTE: Record of Disturbance Sheets for use by yourself and a neighbour.

Signed: _____

Name (Printed): _____

Date: _____

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SCHEDULE "B"
Vaccination/Spaying & Neutering Fees for Dogs

Neuter	\$85.00 for dog under 40 lbs \$95.00 for dog over 40 lbs.
Spay	\$105.00 for dog under 10 lbs \$115.00 for dog between 10 lbs & 50 lbs \$135.00 for dog over 50 lbs \$ 20.00 surcharge for obese dog
Vaccinations	\$40.00 – includes distemper, carona, parvovirus, flu and rabies