

**BYLAW 2000-21**  
**A BYLAW IN THE CITY OF WETASKIWIN, IN THE PROVINCE OF ALBERTA,**  
**BEING A BYLAW FOR THE PURPOSE OF REGULATING, LICENSING, AND THE**  
**CONTROL OF ANIMALS**

**WHEREAS** pursuant to the provisions of the *Municipal Government Act*, Statutes of Alberta, RSA 2000, C. M-26 and amendments thereto, Council may pass a Bylaw for the purpose of regulation, licensing and control animals within the City of Wetaskiwin;

**WHEREAS** Council deems it necessary to provide for the regulation, licensing and control of animals within the City of Wetaskiwin;

**NOW THEREFORE** Council of the City of Wetaskiwin, in the Province of Alberta, Canada duly assembled, enacts:

**TITLE**

1. This Bylaw may be cited as the “Responsible Pet Ownership Bylaw”

**DEFINITIONS**

2. In this Bylaw, the following words shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the past and future; words in plural, include the singular; words in the singular include plural; words in the masculine gender include feminine and neuter genders; words in the feminine and neuter genders, include the masculine gender. The word “shall” is always mandatory, and not merely directory.
  - a. **“Animal”** means any dog, cat, Service Dog, Nuisance Animal or Viscous Animal, but does not include Wildlife;
  - b. **“Animal Shelter”** means a facility designated by the City for safekeeping, and holding of impounded, or seized animals as set out within this Bylaw;
  - c. **“Apiary”** means a place in which a colony or colonies of bees are kept;
  - d. **“Attack”** means an assault by an Animal upon a person or other animal consisting of more than one Bite, scratch, or bruise, and which causes injury to that person or other Animal;
  - e. **“Bee”** means the insect *Apis mellifera* L, commonly known as the western honey bee or European honey bee;
  - f. **“Bite”** means an application of force by an Animal by means of its mouth and teeth upon a person or other Animal which results in pain or injury of any nature being inflicted upon such person or other Animal;
  - g. **“Cemetery”** means land within the City and controlled by the City that is set apart or used as a place for the burial of dead human bodies or other human remains;
  - h. **“Communicable Diseases”** means diseases which can be passed from animal to animal, animal to human, and zoonotic diseases.

- i. **“City”** means the Municipal Corporation of the City of Wetaskiwin, in the Province of Alberta;
- j. **“Council”** shall mean the duly elected municipal Council of the City of Wetaskiwin.
- k. **“Court”** means a Court of competent jurisdiction in the Province of Alberta;
- l. **“Designated Officer”** has the same meaning as given under the Municipal Government Act, Statutes of Alberta, RSA 2000, C. M-26;
- m. **“Heat”** means a period of sexual reproductivity or receptivity occurring in female mammals;
- n. **“Highway”** has the meaning as defined in the *Traffic Safety Act*, R.S.A. 2000, c.T-6, as amended or replaced from time to time;
- o. **“Justice”** has the meaning as defined in the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34 as amended or replaced from time to time;
- p. **“Leash”** means a rope, cord, chain or other material affixed to an Animal and capable of restraining the Animal;
- q. **“Livestock”** includes, but is not limited to:
  - i. horse, cow, mule, donkey, pig, emu, ostrich, llama, alpaca, sheep, or goat;
  - ii. domestically reared or kept deer, reindeer, moose, elk, or bison;
  - iii. domestically-bred fur-bearing animals including foxes and mink; animals of the avian species including chickens, turkeys, ducks, geese, or pheasants; and
  - iv. all other animals kept for agricultural purposes, but not including cats, dogs, or other domesticated household pets;
- r. **“Manager”** means the person appointed as the Manager of the City’s Enforcement section and includes that person’s designate;
- s. **“Medical Officer of Health”** means the Medical Officer of Health as appointed and defined in the *Public Health Act* or his or her designate;
- t. **“Motor Vehicle”** has the meaning given in the *Traffic Safety Act*, RSA 2000, c T-6, as amended or replaced from time to time.
- u. **“Muzzle”** means a device placed over or around an Animal’s head or mouth of sufficient strength to prevent such Animal from biting;
- v. **“Nuisance Animal”** means an Animal declared to be a Nuisance Animal by the Manager in accordance with this Bylaw;
- w. **“Off Leash Area”** means an area designated by Council and identified by clearly marked signage that Animals are permitted to run off Leash, or where organized and controlled animal events may be held from time to time as approved by Council;
- x. **“Owner”** means any natural person or body corporate:
  - i. who is the licensed Owner of an Animal;
  - ii. who has legal title to an Animal;
  - iii. who has possession, custody, care or control of an Animal, either temporarily or permanently; or

- iv. who harbours an Animal, or allows an Animal to remain on their premises;
- v. be eighteen (18) years of age or older;
- y. **“Over-Limit Permit”** means a permit granted under the authority of this bylaw that allows a person to keep at their residence more than the maximum number of Animals permitted by this bylaw;
- z. **“Over-Limit Permit Fee”** means the fee payable to obtain an Over-Limit Permit, as set by the Master Rates Bylaw;
- aa. **“Peace Officer”** means a person employed as a Community Peace Officer, a Bylaw Enforcement Officer, or a member of the Royal Canadian Mounted Police engaged by the City to carry out the provisions of this Bylaw;
- bb. **“Playground”** means land within the City and controlled by the City upon which Playground apparatus are situated for use by children and youth, including but not limited to lands containing swings, slides, and monkey bars;
- cc. **“Provincial Court”** means The Provincial Court of Alberta;
- dd. **“Running at Large”** means:
  - i. any Animal which is not under the control of a person responsible by means of a Leash, unless the Animal is located on the Owner’s property or a public place which has been designated as an Off-Leash Area by Council; and
  - ii. any Animal, regardless of whether the Animal is under the control of the Owner or a person responsible by means of a Leash, which causes damage to persons, property or other Animals;
- ee. **“School Ground”** means property within the City owned or operated by any school district or private school;
- ff. **“Service Dog”** has the meaning as defined in the *Service Dog Act, S.A. 2007, C.S-7.5*, as amended or replaced from time to time, or a working dog where the Manager is satisfied of the dog’s credentials;
- gg. **“Severe Injury”** means any injury that requires medical attention excepting wound cleaning and basic first aid and includes: wounds requiring sutures or surgery, disfiguring or scarring lacerations, broken bones, severe sprains or any other injury of comparable magnitude;
- hh. **“Sports Field”** means land within the City and controlled by the City which is used for the playing of any sport including, but not limited to, baseball diamonds, field hockey, cricket pitches, rugby, soccer, athletic fields, basketball courts, tennis courts or football fields;
- ii. **“Vicious Animal”** means any Animal:
  - i. which in the opinion of a Justice has a propensity to Attack, to cause injury to or to otherwise endanger the safety of a human or other Animal; or
  - ii. that has been declared to be a Vicious Animal pursuant to this Bylaw, a Bylaw of another municipality, or an Animal that has been

the subject of an order issued by a Justice pursuant to the Dangerous Dogs Act, R.S.A. 2000, C.D-3

- jj. **“Wildlife”** has the meaning as defined in the *Wildlife Act*, R.S.A. 2000, c.W-10, as amended or replaced from time to time.

## **INTERPRETATION**

- 3.
- a. Nothing in this Bylaw relieves a person from complying with any requirement of any lawful permit, order, or licence.
  - b. All headings and sub-headings in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
  - c. Where this Bylaw refers to another Act, Bylaw, Regulation or Agency, it includes reference to any Act, Bylaw, Regulation or Agency that may be amended or be substituted therefore.
  - d. All schedules attached to this Bylaw shall form part of this Bylaw.

## **LICENSING REQUIREMENTS**

### **LICENSING INFORMATION**

4. No person shall own or keep any Animal in the City unless the Animal is licensed in the manner as provided for in this bylaw.
5. The Owner of an Animal shall:
- a. obtain a licence for the Animal on the first day on which the City office is open for business after the Animal becomes six (6) months of age;
  - b. obtain a licence for the Animal where it is found to be Running at Large, notwithstanding that the Animal is under the age of six months.
6. An Owner of an Animal shall notify a Peace Officer of any change with respect to any information provided in an application for a licence under this Bylaw.
7. When applying for a licence under this Bylaw, the Owner shall provide the following:
- a. a description of the Animal including breed, name, gender, age and weight;
  - b. the name, address, and telephone number of the Owner;
  - c. if the Owner is a body corporate, the name, address and telephone number of the natural person responsible for the Animal;

- d. information establishing whether the Animal is spayed or neutered;
  - e. any other information which the Manager may require from time to time;  
and
  - f. payment of the annual licensing fee for each Animal as set out in the City's Master Rate Bylaw.
8. Animal licenses shall be valid for one year expiring on December 31 of each year.
- a. Notwithstanding to Section 8, this section does not apply to an Animal Owner that has obtained a valid Animal License prior to September 27, 2021.
9. No person shall give false or misleading information when applying for a licence pursuant to this Bylaw.
10. All Animals shall wear tags evidencing the current license purchased for such Animal at all times when the Animal is off the Owner's property.
11. No animal licence shall be required for an Animal that is accompanying a person who is visiting the City, provided that they do not reside in the City for greater than thirty (30) consecutive days, or more than 90 days out of any three hundred sixty-five (365) day period.
- a. Such a person must produce proof that they are visiting the City for a period not exceeding thirty (30) consecutive days, or not more than 90 days out of any three hundred sixty-five (365) day period.
  - b. This section includes Animals brought into the City for the purposes of a competition, parade, fair, exhibition, or other similar event, provided those Animals are under the care and supervision of a competent person at all times.
  - c. Notwithstanding the foregoing, all other provisions of this Bylaw shall still apply to Animals referenced in this section.
12. A Peace Officer shall not be required to obtain a licence for their Service Dog.

#### **REPLACEMENT OF A LOST LICENCE**

13. In the event that an Owner loses a license issued under this Bylaw for an Animal under the Owner's control, the Owner shall present the receipt for payment of the current year's licence fee, as applicable, in order to be issued a replacement tag evidencing payment of the fee set out in Master Rates Bylaw.

#### **NON-TRANSFERABLE**

14. A licence issued pursuant to this Bylaw is not transferable.

## **NO REBATE**

15. No Owner shall be entitled to a licence rebate under this Bylaw.

## **UNCERTIFIED CHEQUES**

16. Where a licence required pursuant to this bylaw has been paid for by the tender of an uncertified cheque, the licence is issued subject to the cheque being accepted and cashed by the bank without any mention of this condition being made on the licence; and is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

## **SERVICE ANIMAL**

17. Notwithstanding Section 4, where the Manager is satisfied that a person with a disability is the Owner of a trained and certified Service Dog and used to assist the person with the disability, there shall be no fee payable by the Owner for a licence.

## **RESPONSIBILITIES OF OWNERS**

### **LIMIT ON ANIMALS, NUISANCE ANIMAL AND VICIOUS ANIMALS**

18. Unless otherwise permitted by this Bylaw or by the Manager in writing, no person shall keep, allow, suffer, or permit more than the following number of Animals to reside or remain on any premises with a municipal address in the City:

- a. Four (4) Animals in any combination regardless of breed or species

This section does not apply:

- i. to any Animal under the age of six (6) months;
  - ii. to an Owner holding a valid business licence and development permit (if required) to operate a small Animal breeding or boarding establishment or the general business of a pet store pursuant to any other City bylaw;
  - iii. to any veterinary clinic or hospital.
- b. Upon receipt of an Over-Limit Permit application and payment of the Over-Limit Permit fee prescribed by the Master Rates Bylaw, the Manager may issue an Over-Limit Permit, with or without conditions or restrictions.

The Manager may request from an Over-Limit Permit applicant any records and information that in the opinion of the Manager are material to

the over-limit permit application, including, but not limited to records and information relating to whether:

- i. the applicant's residence is reasonably able to accommodate the number of Animals contemplated in the permit application;
  - ii. the applicant has special skills or qualifications for handling more than the permitted number of Animals;
  - iii. the applicant or other persons residing at the applicant's residence have been convicted of, or are under investigation for, bylaw offences under this bylaw, or another animal bylaw or any other City Bylaw;
  - iv. the applicant is operating a foster residence, houses Service Dogs in training, or any other circumstance giving rise to the application for an Over-Limit Permit; or
  - v. the applicant is moving from a location where the number of permitted Animals was demonstrably higher than the limits imposed under this Bylaw.
- c. The Manager may decline to issue an Over-Limit Permit, or may impose any conditions and restrictions on any Over-Limit Permit, as deemed necessary in the sole discretion of the Manager.
- d. An Owner or other person who fails to comply with a provision under this Part is guilty of an offence.
- e. An Over-Limit Permit is not transferable between residences.
- f. Over-limit permits are valid for the residence and the number of Animals specified in the Over-Limit Permit.
- g. The Manager may vary the conditions or terms of an Over-Limit Permit, and may revoke an Over-Limit Permit if:
- i. the applicant provided false or misleading information or records in support of the application; or
  - ii. the applicant or a person residing or allowed to remain at the residence is convicted of an animal related offence.

## **RUNNING AT LARGE**

19. The Owner of an Animal shall not permit the Animal to be Running at Large, unless otherwise provided for in this bylaw.

## **ANIMALS IN OFF LEASH AREA**

20. An Owner of an Animal is not required to secure the Animal on a Leash in a park or portion of a park which has been designated as an Off Leash Area by Council, subject to the following:
- a. Owner shall not allow or permit more than four (4) Animals in their custody at one time in the Off Leash Area;
  - b. Owner shall ensure the Animal(s) are under control at all times while in the Off Leash Area.
  - c. Owner must be physically capable of controlling and restraining all Animals in their custody in the Off Leash Area.
  - d. Owner shall at all times during use of the Off Leash Area carry on their person a Leash for each Animal in their custody.
21. Whether or not an Animal that is off Leash is under the control of the Owner is a question of fact to be determined by the Provincial Court hearing a prosecution pursuant to this section, having taken into consideration any or all of the following factors:
- a. whether the Animal was such a distance from its Owner so as to be incapable of responding to voice, sound or sight commands;
  - b. whether the Animal was responding to voice, sound or sight commands from the Owner;
  - c. whether the Animal bit, attacked, or did any act that injured or threatened a person or another Animal;
  - d. whether the Animal caused damage to persons, other animals, or property.
22. No Owner of an Animal which is in Heat, an Animal suffering from a communicable disease, or a Vicious Animal shall permit such Animal to be in an Off Leash Area at any time.
23. A Peace Officer may, upon identifying a contravention of any provision of this Bylaw, , order the Owner of an off Leash Animal in an Off-Leash Area, to restrain the Animal by means of a Leash and remove the Animal from the Off Leash Area.
24. Nothing in this section relieves a person from complying with any other provisions of this Bylaw.



## **ANIMALS IN PROHIBITED AREAS**

25. The Owner of an Animal shall ensure that such Animal does not enter or remain in or on:
  - a. a Playground, tennis court, Cemetery; or
  - b. any other area which has been designated by the Manager as an area where Animals are prohibited or where signage prohibiting the Animal have been posted.
  
26. If an Animal defecates on any Playground, tennis court, Cemetery, School Grounds or Sports Field, the Owner or any other person in control of the Animal shall remove such feces immediately.

## **UNATTENDED ANIMALS**

27. The Owner of an Animal shall ensure that such Animal shall not be left unattended while tethered or tied on premises where the public has access, whether the access is expressed or implied.
  
28. The Owner of an Animal shall ensure that such Animal not be left unsupervised while tethered or tied on private property.
  
29. The Owner of an Animal left unattended in a Motor Vehicle shall ensure:
  - a. the Animal is restrained in a manner that prevents contact between the Animal and any member of the public; and
  - b. the Animal has suitable ventilation.
  
30. The Owner of an Animal shall not leave an Animal unattended in a Motor Vehicle if the weather conditions are not suitable for containment and as a result thereof puts the Animal's well-being and safety at risk.

## **SECURING ANIMALS IN VEHICLES**

31. No person shall allow an Animal to ride outside of the passenger cab of a Motor Vehicle on a Highway, regardless of whether the Motor Vehicle is moving or parked.
  - a. Notwithstanding the foregoing, a person may allow an Animal to be outside the passenger cab of a Motor Vehicle, if the Animal is:
    - i. in a fully enclosed trailer;
    - ii. in a fully enclosed cargo area of the bed of a Motor Vehicle;
    - iii. contained in a ventilated kennel or similar device securely fastened to the cargo bed of the Motor Vehicle; or
    - iv. securely tethered in such a manner that the Animal is not standing on bare metal, cannot jump or be thrown from the Motor Vehicle, is

not in danger of strangulation, and cannot reach beyond the outside edges of the Motor Vehicle.

32. The owner of a Motor Vehicle may be charged with an offense referred to in the above section and found guilty of the offence unless the owner of the Motor Vehicle satisfies the Court that:
- a. the Motor Vehicle was not being driven or was not being parked by the owner; and
  - b. that the person driving or parking the Motor Vehicle as the time of the offense did so without the owner's express or implied consent.

### **ANIMALS IN HEAT**

33. The Owner of an Animal that is in Heat shall confine such Animal indoors or within a building or enclosure which will prevent the escape of the Animal or entry of other Animals until the Animal is no longer in Heat.
34. The Owner of an Animal that is in Heat may allow the Animal to leave the building or enclosure in order to urinate or defecate on the Owner's property or permitted property of the Owner if the Owner:
- a. secures the Animal on a Leash for the duration of time that such Animal is outside of the Owner's building or enclosure;
  - b. immediately returns the Animal to the building or enclosure upon completion of the urination or defecation.
35. The Owner of an Animal that is in Heat shall not allow or permit said Animal to be at any location where the Animal may be a source of attraction to other Animals.

### **COMMUNICABLE DISEASES**

36. An Owner of an Animal which is suffering from a communicable disease shall:
- a. not permit the Animal to be in any public place;
  - b. not permit the Animal to come into contact with or in proximity to any other Animal;
  - c. keep the Animal locked or tied up; and
  - d. immediately report the matter to the Veterinarian Inspector of the Health of Animals Branch of the local office of the Federal Department of Agriculture, and the Manager.

### **NUISANCES**

#### **REMOVING EXCREMENT**

37. If an Animal defecates on any public or private property other than property owned by its Owner, the Owner shall remove such feces immediately.

38. If an Animal is on any public or private property other than the property of its Owner, the Owner shall have in his possession a suitable means of facilitating the removal of the Animal's feces.
39. The Owner of an Animal shall ensure that feces left by such Animal on the property of the Owner does not accumulate to such an extent that it seriously interferes with other property owners' reasonable enjoyment of their property, due to excessive odor and/or unsightliness.

## **NOISE**

40. The Owner of an Animal shall ensure that such Animal shall not excessively bark, howl, or otherwise make or cause excessive noise which disturbs any person and unreasonably interferes with that person's peaceful enjoyment of his property.
41. Whether or not any such barking, howling, or other such noise is excessive and unreasonably interferes with a person's peaceful enjoyment of his property is a question of fact to be determined by a Court hearing a prosecution pursuant to this Bylaw.

## **SCATTERING GARBAGE**

42. The Owner of an Animal shall ensure that the Animal does not upset or knock over any waste receptacle or scatter the contents thereof in or about any public or private property, regardless of whether such property is owned or legally occupied by the Owner of such Animal.
43. The Owner of an Animal which upsets or knocks over any waste receptacle shall immediately return any such upset waste receptacle to an upright position and clean up any contents thereof that may have been scattered in or about any public or private property, regardless of whether such property is owned or legally occupied by the Owner of such Animal.

## **THREATENING BEHAVIOURS**

44. The Owner of any Animal shall ensure that such Animal does not:
  - a. bark at or chase other Animals, Wildlife, Livestock or other domesticated household pets, in a threatening manner;
  - b. bark at or chase bicycles, Motor Vehicles, or other vehicles;
  - c. growl at, lunge at, snarl at, chase or otherwise threaten a person or persons, whether on the property of the Owner or not, unless the person growled at, lunged at, snarled at, chased or threatened is in the act of trespassing on property owned by the Owner;

- d. Bite, Attack, or cause damage to property, Animals, Wildlife, Livestock or other domesticated household pets, whether on the property of the Owner or not;
  - e. cause Severe Injury to an Animal, Wildlife, Livestock or other domesticated household pets;
  - f. cause death to an Animal, Wildlife, Livestock or other domesticated household pets;
  - g. Attack a person or persons whether on the property of the Owner or not; unless the person attacked is a trespasser on the property owner;
  - h. Bite a person or persons whether on the property of the Owner or not; unless the person attacked is in the act of trespassing on property owned by the Owner;
  - i. Bite or Attack a person or persons whether on the property of the Owner or not, causing Severe Injury or not; unless the person attacked is in the act of trespassing on property owned by the Owner;
  - j. commit any act whatsoever that injures a person or persons whether on the property of the Owner or not;
45. No Owner shall use or direct an Animal to Attack, chase, harass or threaten a person, Animal, Wildlife, Livestock, or other domesticated household pets.

#### **OTHER ANIMALS, HORSES and LIVESTOCK**

46. Unless so permitted by the Manager, no person shall allow a horse owned or controlled by them to be in a Park or on a Pathway or Highway.
- a. This section shall not apply to horses owned and ridden by the Royal Canadian Mounted Police.
  - b. This section shall not apply to horses or Livestock ridden or used in a City-Sponsored event, approved community event or parade.
47. The Owner of a horse or Livestock shall remove defecation from a Highway or Pathway immediately.
48. No Person shall keep Livestock in any area of the City except where the keeping of Livestock is allowed under the City of Wetaskiwin Land Use Bylaw as amended from time to time.

#### **PIGEONS**

49. No person shall keep pigeons in any area of The City of Wetaskiwin for any purpose.

## **PROHIBITED ANIMALS**

50. No person shall engage in apiculture (beekeeping), or keep an Apiary (housing bees) in any area of The City of Wetaskiwin.
51. No person shall keep an Animal deemed dangerous or objectionable in the opinion of the Medical Officer of Health.
52. No person shall keep a prohibited Animal(s), as outlined in Schedule “D”, unless authorized by the Manager in writing. Any such authorization by the Manager shall specify the type and number of Animals permitted including any other conditions with such authorization and must obtain a valid prohibited animal licence, as outlined in Schedule “A”.
- a. The Owner of a prohibited Animal is guilty of an offence if they fail to comply with the written conditions specified by the Manager pursuant to this bylaw.
  - b. Prohibited Animals are permitted within the City of Wetaskiwin if they are involved in a competition, parade, fair, exhibition, zoo, or other similar event, provided that prior written permission is obtained from the Manager and the Animals are kept secure and under control of a competent person at all times.
53. A Peace Officer, authorized by the Manager, may give written notice to the Owner of a prohibited Animal, specifying the Animal(s) be removed from the City by a specified date.
- a. The Owner of a prohibited Animal is guilty of an offence if they fail to remove the prohibited Animal by the date specified by a Peace Officer.

## **CAT TRAPS**

54. A resident of the City of Wetaskiwin may submit an application to Enforcement Services to use a live cat trap, provided by the City, to catch any cats located on property owned by such resident.
- a. Cat traps will only be provided to residents between April 1 and September 30.
  - b. Upon catching a cat the resident shall deliver it forthwith to the Animal Shelter or contact a Peace Officer.
  - c. Upon successful application to Enforcement Services, cat traps may be provided free of charge to any resident or business within the City of Wetaskiwin with the proper identification.

## **NUISANCE ANIMALS**

55. The Manager may declare an Animal to be a Nuisance Animal;
  - a. In declaring an Animal to be a Nuisance Animal, the Manager shall consider any sections of this bylaw that have been contravened by such Animal, the number of contraventions of this bylaw by such Animal, and the severity of same.
    - i. The Manager may further take into consideration any of matter which in the opinion of the Manager is relevant.
  - b. A declaration that an Animal is a Nuisance Animal may be appealed in writing and with payment of any associated fees to the City Manager within fourteen (14) days of receiving the notice pursuant to Section 107 of this bylaw.
56. The Manager may apply such conditions to the Owner and their Nuisance Animal as deemed appropriate to eliminate the nuisance.
57. The declaration of an Animal as a Nuisance Animal shall be reviewed annually by the Manager, and may be continued, with or without conditions, or revoked.
58. The Owner of an Animal shall comply with all conditions set out in a Nuisance Animal declaration made by the Manager pursuant to this section.

## **VICIOUS ANIMALS**

### **HEARINGS and ORDER**

59. An Animal may be declared to be a Vicious Animal by a Justice during a hearing.
  - a. The Owner of an Animal alleged to be a Vicious Animal shall be provided Notice of such hearing for determination by the Provincial Court not less than ten (10) days before the date of the hearing.
  - b. The Manager may order the Owner of an Animal alleged to be a Vicious Animal to surrender the Animal to a Peace Officer, and the Animal shall be taken and held in an Animal Shelter at the Owner's cost pending the outcome of the hearing and any appeals.
  - c. The Manager may allow the Owner to keep possession of an Animal alleged to be a Vicious Animal, pending the outcome of the Hearing and any related appeals, subject to containment and control conditions imposed by the Manager, which in the opinion of the Manager are necessary to ensure the safety of the public.
60. Upon hearing the evidence, a Justice shall make an order declaring the Animal as a Vicious Animal if the Justice finds as a fact that the Animal has caused Severe Injury to a person, whether on public or private property.

61. Upon hearing the evidence, a Justice may make an order declaring the Animal to be a Vicious Animal or order the Animal destroyed, or both, if in the opinion of the Justice the Animal is likely to cause serious damage or injury to persons, property or other Animals, Wildlife, Livestock or other domesticated household pets, taking into account the following factors:
- a. whether the Animal, when unprovoked, has shown a tendency to pursue, chase or approach in a menacing fashion any person or persons or other Animal, Wildlife, Livestock or other domesticated household pets upon the street, sidewalk or on any public or private property;
  - b. whether the Animal has attempted to Bite, or has bitten any person or Animal, Wildlife, Livestock or other domesticated household pets;
  - c. whether the Animal has injured, attacked, or caused Severe Injury to any person or Animal, Wildlife, Livestock or other domesticated household pets;
  - d. the Aggression Scale Classification made by a Peace Officer pursuant to Section 74;
  - e. the circumstances surrounding any previous biting, attacking, or injuring incidents; and
  - f. whether the Animal has caused death to another Animal, Wildlife, Livestock or other domesticated household pet.
62. A Vicious Animal order pursuant to this Bylaw continues to apply if the Animal is sold, given, or transferred to a new Owner and the original Owner shall make the new Owner aware that the Animal has been declared a Vicious Animal.
63. The Owner of a Vicious or dangerous Animal must immediately notify the Manager upon relocating within the City. The Manager may take cognizance of an order relating to a dangerous Animal or Vicious Animal issued in another jurisdiction and direct that the order apply within the City.
64. The Owner of an Animal alleged to be a Vicious Animal shall comply with a surrender order made by the Manager, or any containment and control conditions prescribed by the Manager or a Justice pursuant to this bylaw.

## **VICIOUS DOG REGULATIONS**

65. The Owner of a Vicious Animal shall within (10) days after the Animal has been declared vicious by a Justice:
- a. have a licenced veterinarian tattoo or implant an electronic identification microchip in or on the Vicious Animal identifying the Animal with a unique identifier to the Animal;

- b. provide the information contained on the tattoo or in the microchip to a Peace Officer; and
  - c. have the Vicious Animal spayed or neutered if such a procedure has not yet been carried out on the Animal.
66. The Owner of a Vicious Animal shall:
  - a. own or keep any Vicious Animal in the City unless the Vicious Animal is licensed in the manner as provided for in this bylaw.
  - b. ensure the Vicious Animal wears a tag evidencing the current license purchased for such Vicious Animal at all times when the Animal is off the Owner's property.
  - c. forthwith notify a Peace Officer should the Vicious Animal be sold, gifted, or transferred to another person or die; and
  - d. remain liable for the actions of the Vicious Animal until formal notification of sale, gift, or transfer is given to a Peace Officer.
67. With regards to the behavior of a Vicious Animal, the Owner of a Vicious Animal shall:
  - a. ensure that such Vicious Animal does not engage in any behaviors prohibited by this Bylaw;
  - b. ensure that such Vicious Animal does not damage or destroy public or private property;
  - c. ensure that such Vicious Animal is not Running at Large; and
  - d. forthwith notify a Peace Officer in the event that the Vicious Animal is Running at Large.
68. The Owner of a Vicious Animal shall ensure that when such Vicious Animal is confined indoors on the property of the Owner such Vicious Animal is:
  - a. under the control of a person eighteen (18) years of age or older.
69. The Owner of a Vicious Animal shall ensure that when such Vicious Animal is confined outdoors on the property of the Owner such Vicious Animal is:
  - a. in a locked pen or other structure, constructed in order to prevent the escape of the Vicious Animal, and capable of preventing the entry of any person not in control of the Vicious Animal. The locked pen or structure shall:
    - i. have secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be embedded in the ground to a minimum depth of thirty (30) centimeters;
    - ii. provide the Vicious Animal with shelter from the elements;
    - iii. be of the minimum dimensions of one and one-half (1.5) meters by three (3) meters and be a minimum one and one-half (1.5) meters in height; and
    - iv. not be within one (1) meter of the property line or within five (5) meters of a neighbouring dwelling unit.



- b. Or securely muzzled, and under the control of a person eighteen (18) years of age or older by means of a Leash not exceeding one (1) meter in length in a manner that prevents it from being in contravention of this Bylaw.
70. The Owner of a Vicious Animal shall ensure that at all times, when off the property of the Owner, such Vicious Animal is securely:
- a. muzzled;
  - b. harnessed or leashed on a lead which length shall not exceed one (1) meter in a manner that prevents it from being in contravention of this Bylaw, as well as preventing damage to public and private property; and
  - c. under the control of a person eighteen (18) years of age or older.
71. The Owner of a Vicious Animal shall, within ten (10) days of the date of the order declaring the Animal to be vicious, display a sign on his premise warning of the presence of the Vicious Animal in the form illustrated in Schedule “G”.
- a. The sign shall be placed at each entrance to the premises where the Vicious Animal is kept and posted on the pen or other structure in which the Vicious Animal is confined.
  - b. The sign shall be posted to be clearly visible and able to be seen by any person(s) accessing the premises.

## **ANIMAL CONTROL OPERATIONS**

### **NOTICE TO CONTAIN AND CONTROL**

72. The Manager may allow an Owner to keep possession of an Animal alleged to have been engaged in any threatening behavior as set out in this Bylaw by serving notice with contain and control conditions which, in the opinion of the Manager, ensures the safety of the public.
73. The contain and control conditions shall be reviewed annually by the Manager, taking into account any further contraventions of this Bylaw and may be continued, revised, or revoked.
74. The Owner of an Animal shall comply with contain and control conditions set out in a notice issued by the Manager pursuant to this section.

### **AGGRESSION SCALE CLASSIFICATION**

75. A Peace Officer investigating a complaint involving the threatening behavior of an Animal shall classify the behavior by means of reference to the Dr. Ian Dunbar’s Aggression Scale, as set out in Schedule “E” of this Bylaw.

## **SEIZURE**

76. A Peace Officer may seize, retain, and take to an Animal Shelter any Animal, Nuisance Animal or Vicious Animal
- a. which is found Running at Large;
  - b. which is alleged to have engaged in any threatening behaviors as set out in this Bylaw;
  - c. pending the outcome of an application to declare the Animal to be a Vicious Animal or to destroy the Animal;
  - d. which is required to be impounded pursuant to the provisions of any Statute of Canada, or of the Province of Alberta, or any Regulation made thereunder; or
  - e. which has been left unsupervised while tethered or tied on private property not owned by the Animal's Owner.
77. Animal's Owner shall be responsible for all fees associated to the Animal being impounded.
78. A Peace Officer may enter onto any property surrounding any building, whether or not such property is enclosed by a fence or other such enclosure, and seize any Animal which has been observed Running at Large and is alleged to have been exhibiting any behavior contrary to this Bylaw and to take such reasonable measures necessary to subdue any such Animal, including the use of tranquilizer equipment and other capture devices, and transport and hold such Animal at an Animal Shelter.

## **NOTIFICATION**

79. A person who takes control of any stray Animal, Nuisance Animal or Vicious Animal, shall forthwith notify a Peace Officer and provide any required information and surrender the Animal to a Peace Officer at the request of the Manager or Peace Officer.

## **OBSTRUCTION AND INTERFERENCE**

80. No person, whether or not that person is the Owner of an Animal, Nuisance Animal or Vicious Animal which is being or has been pursued or seized shall:
- a. interfere with or attempt to obstruct a Peace Officer who is attempting to seize or who has seized an Animal which is subject to seizure;
  - b. open any vehicle in which seized Animals have been placed; or
  - c. remove, or attempt to remove, from the Animal Shelter and/or the possession of a Peace Officer, any Animal which has been seized.

81. No person shall:
- a. untie, loosen or otherwise free an Animal which has been tied or otherwise restrained;
  - b. negligently or willfully open a gate, door or other opening in a fence or enclosure in which an Animal has been confined and thereby allow the Animal to run at large in the City of Wetaskiwin;
  - c. entice an Animal to Run at Large;
  - d. tease an Animal caught or confined in an enclosed space;
  - e. throw or poke any object into an enclosed space when an Animal is caught or confined therein;
  - f. provide false information to a Peace Officer.
82. The above sections shall not apply to a Peace Officer who is attempting to seize or who has seized an Animal which is subject pursuant to this Bylaw.

## **NOTIFICATIONS**

83. If a Peace Officer knows or can ascertain the name of the Owner of any seized Animal, he shall serve the Owner with a copy of the Notice in Schedule "F" of this Bylaw, either personally or by leaving it with any adult person at, or by mailing it to or by leaving it at, the last known address of the Owner.
- a. An Owner of an Animal to whom a Notice under this Section is mailed is deemed to have received such Notice within seven (7) days from the date it is mailed. A Notice personally delivered to the Owner or any adult person at the last known address of the Owner shall be deemed to be served on the day of service.

## **RECLAIMING**

84. The Owner of any seized Animal, Nuisance Animal or Vicious Animal may reclaim the Animal, Nuisance Animal or Vicious Animal by:
- a. paying to the City the costs of impoundment, any care, subsistence or veterinary charges incurred as set out in Schedule "A" of this Bylaw.
  - b. obtaining the licence for such Animal, Nuisance Animal, and Vicious Animal where a licence is required pursuant to this bylaw;
  - c. complying with all restrictions or conditions which may be imposed in accordance with this Bylaw.
85. Where an Animal, Nuisance Animal or Vicious Animal is claimed, the Owner shall provide proof of ownership.

## INSPECTIONS

86. Subject to the entry notice provisions of the *Municipal Government Act*, R.S.A. 2000 c.M-26, a Designated Officer of the City, 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 and, where it is determined that this Bylaw or an order has been contravened, may, with or without the assistance of a Peace Officer, seize and remove from the premises an Animal and take such Animal to an Animal Shelter.
- a. No person shall interfere with or attempt to obstruct a Designated Officer or a Peace Officer who is attempting to conduct an inspection or seizure of an Animal.

## AUTHORITY OF THE MANAGER

87. The Manager, their designate or Peace Officer may:
- a. receive Animals into protective care at an Animal Shelter arising from an emergency due to fire, flood, or other reasons;
  - b. retain the Animals temporarily at an Animal Shelter;
  - c. charge the Owner fees pursuant to Schedule "A", costs of impoundment, any care, subsistence, or veterinary charges incurred as set out in Schedule "A" of this Bylaw;
  - d. at the end of the protective care period, if no other arrangements are made between the Owner and the Manager, their designate or Peace Officer, or the Owner cannot be ascertained, treat such Animals as seized Animals;
  - e. offer the sale, euthanize, or otherwise dispose of all unclaimed Animals which have been seized or deemed to be seized.
88. The Manager, their designate or Peace Officer shall not sell, euthanize, or otherwise dispose of a seized Animal until an Animal is retained in the Animal Shelter for:
- a. seven (7) days after the Owner has received notice or is deemed to have received notice that the Animal has been seized; or
  - b. seventy-two (72) hours, if the name and address of the Owner is not known.
89. The Manager, may retain a seized Animal for a longer period if in his opinion the circumstances warrant the expense or there are reasonable grounds to believe that the seized Animal is a continued danger to a person, Animal, Wildlife, Livestock, or other domesticated household pets, or property.

## **EUTHANIZING DUE TO INJURY**

90. Any veterinary surgeon, being properly and fully qualified as required by the Province of Alberta, may destroy any Animal delivered to the veterinarian after injury to the Animal, providing the injury is determined by the veterinarian to be so severe in nature that, based upon their professional opinion, the Animal must be destroyed immediately and such costs of the destruction may be billed to the Owner of the Animal.

## **REQUIRE SPAY/NEUTER**

91. The Manager may, before selling an unclaimed seized Animal, require that the Animal be spayed or neutered.

## **FEE FOR EUTHANIZING**

92. When the Manager, his designate or Peace Officer decides to euthanize a seized Animal pursuant to this Bylaw, the Owner shall pay to the City of Wetaskiwin a fee as set out in Schedule "A" of this Bylaw.

## **FULL RIGHT AND TITLE**

93. The purchaser of a seized Animal pursuant to the provisions of this Bylaw shall obtain full right and title to the Animal and the right and title of the previous Owner of the Animal shall cease thereupon.

## **GENERAL PENALTY PROVISIONS**

94. Every person who contravenes any provision of this Bylaw is guilty of an offence. Any individual who commits an offence under this bylaw is liable to pay the associated fine identified in Schedule "A" and Schedule "B" attached hereto, as the case may be.

## **VIOLATION TICKETS AND PENALTIES**

95. Where a Peace Officer believes that a person has contravened any provision of this Bylaw, he may commence proceedings by issuing a violation ticket in accordance with Part 3 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c P-34
- a. Notwithstanding the foregoing, A Peace Officer may issue, by personal service or regular mail, a Municipal Violation Ticket, in a form as approved by the City, to any person alleged to have contravened any provision of this Bylaw.

96. The penalty in lieu of prosecution payable in respect of a contravention of this Bylaw, to be indicated on any such Municipal Violation Ticket issued, is the amount provided for in Schedule “B” of this Bylaw.
- a. where payment is tendered within 7 days from the date of service of a Municipal Violation Ticket issued and served pursuant to this bylaw for an alleged offence listed in Schedule “B” shall be reduced by 50% of the specified penalty and such payment shall be accepted in lieu of prosecution.
97. A person who has been issued a Municipal Violation Ticket in respect of a contravention of a provision of this Bylaw, and who has fully paid to the City the penalty as indicated within the time allowed for payment, shall not be liable for prosecution for the subject contravention.
98. The specified and minimum penalties payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule “A” or Schedule “B” of this Bylaw, as the case may be, in respect of that provision.
- a. Notwithstanding the above section:
    - i. where any person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the specified or minimum penalty payable is double the amount shown in Schedule “A” or Schedule “B” of this Bylaw, as the case may be, in respect of that provision; and
    - ii. where any person has been in contravention of the same provision of this Bylaw three (3) or more times within one (1) twelve (12) month period, the specified or minimum penalty is triple the amount shown in Schedule “A” or Schedule “B” of this Bylaw, as the case may be, in respect of that provision.
99. If an Animal has been declared to be a Nuisance Animal, and where, subsequent to such declaration, any person is in contravention of any provisions of this Bylaw in respect of such Nuisance Animal, the specified penalty payable in respect of the offence is double the amount shown in Schedule “A” or Schedule “B” of this Bylaw, as the case may be, in respect of that contravention.

## **VICIOUS ANIMAL FINES**

100. Sections 94 through 97 do not apply to Vicious Animals.
101. The specified and the minimum penalties on summary conviction with respect to a contravention of this Bylaw by or relating to a Vicious Animal shall be the amounts as shown in Schedule “C” of this Bylaw.
- a. Notwithstanding the above section:
    - i. where any person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the

specified or minimum penalty payable in respect of the second offence is double the amount shown in Schedule “C” of this Bylaw in respect of that provision; and

- ii. where any person has been in contravention of the same provision of this Bylaw three (3) or more times within one (1) twelve (12) month period, the specified or minimum penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule “C” of this Bylaw in respect of that provision.

### **CONTINUING OFFENCES**

102. 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.

### **MANDATORY COURT OR INFORMATION**

103. No provision of this Bylaw shall prevent any Peace Officer from issuing a violation ticket requiring the Court appearance of any individual, pursuant to the provisions of the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34, or from laying an information instead of issuing a violation ticket.

### **LIABILITY FOR FEES**

104. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the requirement to pay any fees, charges or costs for which they are liable under the provisions of this Bylaw.

### **ORDERS BY A JUSTICE**

105. A Justice, after convicting an Owner of an offence under this Bylaw, may, in addition to the penalties provided in this Bylaw, if the Justice considers the offence sufficiently serious, direct, order, or declare one or more of the following:

- a. that the Owner prevent the Animal from doing further acts or causing further disturbance or nuisance complained of;
- b. that the Owner have the Animal removed from the City;
- c. that the Animal is a Vicious Animal;
- d. that the Animal be humanely destroyed;
- e. that the Owner be prohibited from owning any Animal for a specified period of time; or/and
- f. make any other order, direction or declaration that in the opinion of the Justice is necessary to protect the public, Animals, Wildlife, Livestock or other domesticated household pets from the Animal.

106. When a Justice considers making a direction, order, or declaration pursuant to this section, the Justice shall take into account the factors set out in Sections 60 through 63 of this Bylaw.

### **ONUS OF PROOF**

107. The onus of proving a person has a valid and subsisting licence is on the person alleging the licence.

108. The onus of proving the age of an Animal is on the person alleging the age.

### **CERTIFIED COPY OF RECORDS**

109. A copy of a record of the City, certified by the City Manager for the same 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 of the person signing it.

### **GENERAL**

110. Any Owner may appeal the determination to the City Manager in writing, within fourteen (14) days of being notified that:

- a. any licence issued under this Bylaw has been revoked or cancelled; or
- b. an Animal has been determined to be a Nuisance Animal.

111. Within thirty (30) days of receiving a notice of appeal by an Owner, the City Manager shall review the revocation or declaration and receive such information as in the opinion of the City Manager is relevant and determine whether there are just and reasonable grounds to revoke or cancel a licence or confirm or revoke the Nuisance Animal declaration and the decision of the City Manager shall be final.

112. No action for damages shall be taken against the City or any person acting under the authority of this Bylaw in respect of the destruction, sale, or other disposal of any Animal seized pursuant to this Bylaw.

113. It is the intention of the Council of the City of Wetaskiwin that each section of this Bylaw should be considered as being separate and severable from all other sections. Should any section or part be found invalid by a Court of competent jurisdiction, it is intended that the invalid section or part shall be severable, and the remainder of the Bylaw will remain in effect.

114. It is the intention of the Council of the City of Wetaskiwin that all offences created pursuant to this Bylaw be construed and considered as being Strict Liability Offences.



## **TRANSITION AND EXECUTION**

115. This Bylaw shall repeal Bylaw No. 1920-19 and amendments thereto on the date of final passing.

116. This Bylaw shall come into full force and effect on the date of final passing.

Read a first time this 16<sup>th</sup> day of August, 2021.

Read a second time this 16<sup>th</sup> day of August, 2021.

Read a third time this day 27<sup>th</sup> day of September, 2021.

ORIGINAL SIGNED

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TYLER GANDAM, MAYOR

ORIGINAL SIGNED

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SUE HOWARD, CITY  
MANAGER

**SCHEDULE "A"**  
**OFFENCE PENALTIES**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
<b>4</b>	Unlicensed Animal	\$150.00	\$250.00
<b>6</b>	Fail to Notify Peace Officer of changes to licence information	\$75.00	\$150.00
<b>9</b>	Give false information when applying for licence	\$250.00	\$500.00
<b>10</b>	Animal not wearing current licence	\$75.00	\$150.00
<b>18(a)</b>	Animal Owner exceed higher than permitted number of Animals at premises	\$100.00	\$250.00
<b>18(d)</b>	Failure to comply with conditions or restrictions on an Over-Limit Permit	\$100.00	\$250.00
<b>19</b>	Animal Running at Large	\$100.00	\$250.00
<b>20(a)</b>	More than four (4) Animals in Off Leash Area	\$100.00	\$250.00
<b>20(b)</b>	Animal not under control in an Off-Leash Area	\$100.00	\$250.00
<b>20(c)</b>	Not physically capable of controlling and restraining all Animals in custody	\$100.00	\$250.00
<b>20(d)</b>	Fail to carry Leash in Off-Leash area	\$100.00	\$150.00

**SCHEDULE "A" CONTINUED**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
<b>22</b>	Prohibited Animal in Off-Leash area	\$150.00	\$250.00
<b>23</b>	Fail to restrain/remove Animal from Off-Leash area	\$150.00	\$250.00
<b>25</b>	Animal in prohibited area	\$150.00	\$250.00
<b>26</b>	Fail to remove Animal feces from Playground/Tennis Court/Cemetery/School Grounds/Sports Field	\$180.00	\$400.00
<b>27</b>	Leave Animal unattended while tethered in a public place	\$100.00	\$150.00
<b>28</b>	Leave Animal unsupervised while tethered on private property	\$150.00	\$300.00
<b>29</b>	Animal left unattended in vehicle improperly	\$100.00	\$150.00
<b>30</b>	Animal left unattended in vehicle when weather conditions not suitable	\$250.00	\$500.00
<b>31</b>	Animal outside cab of vehicle	\$250.00	\$500.00
<b>35</b>	Allow Animal in Heat to be a source of attraction/not confined properly	\$100.00	\$150.00
<b>36(a)</b>	Permit Animal with Communicable Disease in a public place	\$250.00	\$500.00

**SCHEDULE “A” CONTINUED**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
<b>44(c)</b>	Chase or threaten a person	\$250.00	\$500.00
<b>44(d)</b>	Bite or cause damage to property, Animal, Wildlife, Livestock, or other domesticated household pet	\$250.00	\$350.00
<b>44(e)</b>	Cause Severe Injury to Animal, Wildlife, Livestock or other domesticated household pet	\$400.00	\$800.00
<b>44(f)</b>	Cause death to Animal, Wildlife, Livestock or other domesticated household pet	\$800.00	\$1,200.00
<b>44(g)</b>	Animal attacks a person	\$700.00	\$1,400.00
<b>44(h)</b>	Animal bites a person	\$350.00	\$700.00
<b>44(i)</b>	Animal Bites or Attacks a person causing Severe Injury	\$1,000.00	\$1,800.00
<b>44(j)</b>	Animal injures a person	\$250.00	\$500.00
<b>45</b>	Direct Animal to Attack, chase, harass, threaten a person, Animal, Wildlife, Livestock or other domesticated household pet	250	\$500.00
<b>46</b>	Horse in prohibited area	\$150.00	\$250.00
<b>47</b>	Fail to remove defecation from horse	\$150.00	\$300.00

**SCHEDULE "A" CONTINUED**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
<b>48</b>	Keep Livestock in prohibited area	\$150.00	\$250.00
<b>49</b>	Keep Pigeons in City	\$150.00	\$250.00
<b>50</b>	Engage in apiculture or keep an apiary	\$150.00	\$250.00
<b>51</b>	Keep an Animal deemed dangerous or objectionable	\$250.00	\$500.00
<b>52</b>	Keep prohibited Animal	\$500.00	\$1,000.00
<b>53</b>	Fail to remove prohibited Animal as directed by Peace Officer	\$500.00	\$1,000.00
<b>58</b>	Fail to obey Nuisance Animal conditions	\$400.00	\$650.00
<b>74</b>	Fail to obey contain and control conditions	\$400.00	\$650.00
<b>79</b>	Fail to notify Peace Officer of stray Animal or surrender stray Animal to a Peace Officer	\$100.00	\$150.00
<b>80(a)</b>	Obstruct or interfere with Peace Officer seizure	\$500.00	\$1,000.00
<b>80(b)</b>	Open vehicle in which seized Animals have been placed	\$250.00	\$500.00

**SCHEDULE "A" CONTINUED**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
<b>80(c)</b>	Remove or attempt to removed seized Animal	\$250.00	\$500.00
<b>81(a)</b>	Untie/loosen/ or free restrained Animal	\$250.00	\$500.00
<b>81(b)</b>	Open gate/door/ or opening allowing Animal to Run at Large	\$250.00	\$500.00
<b>81(c)</b>	Entice Animal to Run at Large	\$250.00	\$500.00
<b>81(d)</b>	Tease Animal in an enclosure	\$250.00	\$500.00
<b>81(e)</b>	Throw or poke at Animal in an enclosure	\$250.00	\$500.00
<b>81(f)</b>	Obstruct Peace Officer	\$500.00	\$1,000.00

**SCHEDULE “B”**

**VICIOUS ANIMAL OFFENCES PENALTIES**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
64	Fail to comply with order or conditions	\$750.00	\$1,500.00
65(a)	Fail to tattoo or implant Vicious Animal with microchip	\$250.00	\$500.00
65(b)	Fail to provide tattoo or microchip information to a Peace Officer	\$250.00	\$500.00
65(c)	Fail to have Vicious Animal spayed or neutered	\$250.00	\$500.00
66(a)	Unlicensed Vicious Animal	\$500.00	750.00
66(b)	Vicious Animal not wearing licence	\$150.00	\$300.00
66(c)	Fail to notify Peace Officer of sale, gift, transfer, or death of Vicious Animal	\$250.00	\$500.00
67(a)	Vicious Animal conduct any threatening behaviour	\$1,500.00	\$3,000.00
67(b)	Vicious Animal destroy or damage property	\$1,000.00	\$1,500.00
67(c)	Vicious Animal Running at Large	\$1,000.00	\$1,500.00
67(d)	Fail to notify Peace Officer of Vicious Animal Running at Large	\$250.00	\$500.00

**SCHEDULE “B” CONTINUED**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
68	Fail to keep Vicious Animal confined indoors and under control of a person eighteen (18) years of age or older	\$1,000.00	\$1,500.00
69(a)	Fail to keep Vicious Animal confined within a proper pen or structure for Vicious Animals	\$1,000.00	\$1,500.00
69(b)	Fail to keep a Vicious Animal muzzled or leashed properly when on Owner’s Property	\$1,000.00	\$1,500.00
70(a)	Fail to keep Vicious Animal muzzled	\$1,000.00	\$1,500.00
70(b)	Fail to keep a Vicious Animal harnessed or leashed properly	\$1,000.00	\$1,500.00
70(c)	Vicious Animal not under control of a person eighteen (18) years of age or older	\$1,000.00	\$1,500.00
71	Fail to post Vicious Animal sign	\$1,000.00	\$1,500.00



## **SCHEDULE “C”**

### **PROHIBITED ANIMALS**

1. All protected or endangered animals whose possession or sale is prohibited because they are designated as protected or endangered pursuant to international, federal, or provincial law, unless the animal has been obtained in accordance with international, federal, or provincial law.
2. All dogs, other than domesticated dogs (*Canis Familiaris*) including but not limited to: wolf, coyote, fox, hyena, dingo, jackal, raccoon dog, bush dog, and any hybrid offspring of a wild dog and a domesticated dog.
3. All cats, other than domesticated cats (*Felis Catus*) including but not limited to: lion, tiger, leopard, ocelot, jaguar, puma, panther, mountain lion, cheetah, wild cat, cougar, bobcat, lynx, serval, and any hybrid offspring of a wild cat and a domesticated cat.
4. All bears.
5. All fur bearing animals of the family Mustelidae including but not limited to: weasel, marten, mink, badger, ermine, skunk, otter, pole cat, wolverine, but not including the domestic ferret (*Putorius Furo*).
6. All Procyonidae including: raccoon, kinkajou, cacomistle, cat-bear, panda, and coatimundi.
7. All carnivorous mammals of the family Viverridae including but not limited to: civet, mongoose, and genet.
8. All bats.
9. All non-human primates.
10. All squirrels.
11. All rats, including the Norway rat.
12. Reptiles (*Reptilia*):
  - a. All Helodermatidae (Gila monster and Mexican bearded lizard);
  - b. All front-fanged venomous snakes, even if de-venomized, including, but not limited to:

## SCHEDULE "C" CONTINUED

- i) All Viperidae (viper, pit viper);
  - ii) All Elapidae (cobra, mamba, krait, coral snake);
  - iii) All Atractaspididae (African burrowing asp);
  - iv) All Hydrophiidae (sea snake); and
  - v) All Laticaudidae (sea krait).
  - vi) All venomous, mid- or rear-fanged, Duvernoy-glanded members of the family Colubridae, even if de-venomized;
- c. Any member or hybrid offspring of the family Boidae, including but, not limited to the common or green anaconda and yellow anaconda, save and except members of the family Boidae reaching an adult length of no greater than two (2) meters;
- d. Any member of the family Pythonidae, including but, not limited to the African rock python, the Indian or Burmese python, the Amethystine or scrub python, save and except members of the family Pythonidae reaching an adult length of no greater than two (2) meters;
- e. Any member of the family Varanidae, including but, not limited to the white throated monitor, the water monitor, the Komodo monitor or dragon, the Bornean earless monitor, the Nile monitor, the crocodile monitor, save and except members of the family Varanidae reaching an adult length of no greater than one (1) meter;
- f. Any member of the family Iguanidae, including the green or common iguana;
- g. Any member of the family Teiidae, including but not limited to the golden, common or black and white tegu;
- h. members of the family Chelydridae, including snapping turtle and alligator snapping turtle;
- i. All members of the order Crocodylia, including, but not limited to alligator, caiman and crocodile;

## SCHEDULE "C" CONTINUED

- j. All other snakes that reach an adult length larger than three meters; and
  - k. All other lizards that reach an adult length larger than two meters.
13. Birds (Aves)
- a. All predatory or large birds (Accipitrids, Cathartids), including but not limited to eagle, hawk, falcon, owl, vulture and condor;
  - b. Anseriformes including but not limited to ducks, geese and swans;
  - c. Galliformes including but not limited to pheasants, grouse, guinea fowl and turkeys; and
  - d. Struthioniformes including but not limited to flightless ratites such as ostriches, rheas, cassowaries, emus and kiwis;
  - e. Subsections (a) to (d) inclusive in subsection do not apply if the birds are kept as Livestock on land zoned as agricultural.
15. All large rodents (Rodentia), including, but not limited to gopher, muskrat, paca, groundhog, marmot, beaver, prairie dog, viscacha, and porcupine.
16. All even-toed ungulates (Artiodactyla) other than domestic sheep, including but not limited to antelope, giraffe and hippopotamus.
17. All odd-toed ungulates (Perissodactyla), including but not limited to zebra, rhinoceros and tapir.
18. All marsupials, including but not limited to, Tasmanian devil, bandicoot, kangaroo, wallaby, opossum, wombat, koala bear, cuscus, numbat and pigmy, sugar and greater glider.
19. Sea mammals (Cetacea, Pinnipedia and Sirenia), including but not limited to, dolphin, whale, seal, sea lion and walrus.
20. All elephants (Proboscides).
21. All hyrax (Hyracoidea).
22. All pangolin (Pholidota).
23. All sloth and armadillo (Edentala).
24. All insectivorous mammals (Insectivora), including aardvark (Tubulidentata), anteater, shrew, otter shrew and mole.

**SCHEDULE "C" CONTINUED**

25. Gliding lemur (Dermoptera).
26. All other venomous or poisonous animals.

## SCHEDULE “D”

### DR. IAN DUNBAR’S AGGRESSION SCALE

#### ASSESSMENT OF THE SEVERITY OF BITING PROBLEMS BASED ON AN OBJECTIVE EVALUATION OF WOUND PATHOLOGY

<b>Level 1</b>	Dog growls, lunges, snarls – no teeth touch skin. Mostly intimidation and/or threatening behaviour.
<b>Level 2</b>	Teeth touch skin but no puncture. May have red mark and/or minor bruise from dog’s head or snout, may have minor scratches from paws and/or nails. Minor surface abrasions or lacerations.
<b>Level 3</b>	Punctures one (1) to three (3) holes, single Bite. No tearing or slashes. Victim not shaken side to side. Bruising
<b>Level 3.5</b>	Multiple Level 3 Bites.
<b>Level 4</b>	Two (2) to four (4) holes from a single Bite, typically contact and/or punctures from more than canines, considerable bruising. Black bruising, tears and/or slashing wounds. Dog clamped down and held and/or shook head from side to side.
<b>Level 5</b>	Multiple Bites at Level 4 or above. A concerted, repeated Attack causing Severe Injury.
<b>Level 6</b>	Any Bite resulting in death of an Animal.

This scale was developed by Dr. Ian Dunbar PhD. B VetMed, MRCVS, of Berkeley California. From his studies Dr. Dunbar has been able to separate and classify bites into a generalized six-level assessment protocol. This Scale is used as a standard throughout the world in canine aggression investigations and behavior assessment.

**SCHEDULE "E"**

**ANIMAL SEIZURE AND IMPOUNDMENT FORM**



**Enforcement Services**

**Notice of Seizure/Impoundment of Animal**

File Number: \_\_\_\_\_

Take notice that on \_\_\_\_\_, 20\_\_\_\_ under the City of Wetaskiwin Responsible Pet Ownership Bylaw 1920-19 the following animal(s) was (were) taken into custody:

- |   |       |   |       |
|---|-------|---|-------|
| 1 | _____ | 5 | _____ |
| 2 | _____ | 6 | _____ |
| 3 | _____ | 7 | _____ |
| 4 | _____ | 8 | _____ |

by \_\_\_\_\_ Peace Officer                      Reg Number \_\_\_\_\_

City of Wetaskiwin Enforcement Services  
5005 48 Avenue  
Box 6210  
Wetaskiwin, AB T9A 2E9  
Phone: (780) 361-4401

Reason for animal(s) to be taken into custody:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The animal(s) was (were) delivered to:

- City of Wetaskiwin Animal Shelter located at 4735 39 Avenue, Wetaskiwin, AB  
 Other: \_\_\_\_\_

If the animal(s) is (are) not claimed or the payment of expenses is not made by, \_\_\_\_\_, 20\_\_\_\_  
the animal may be sold, given away or in accordance with with the bylaw destroyed.

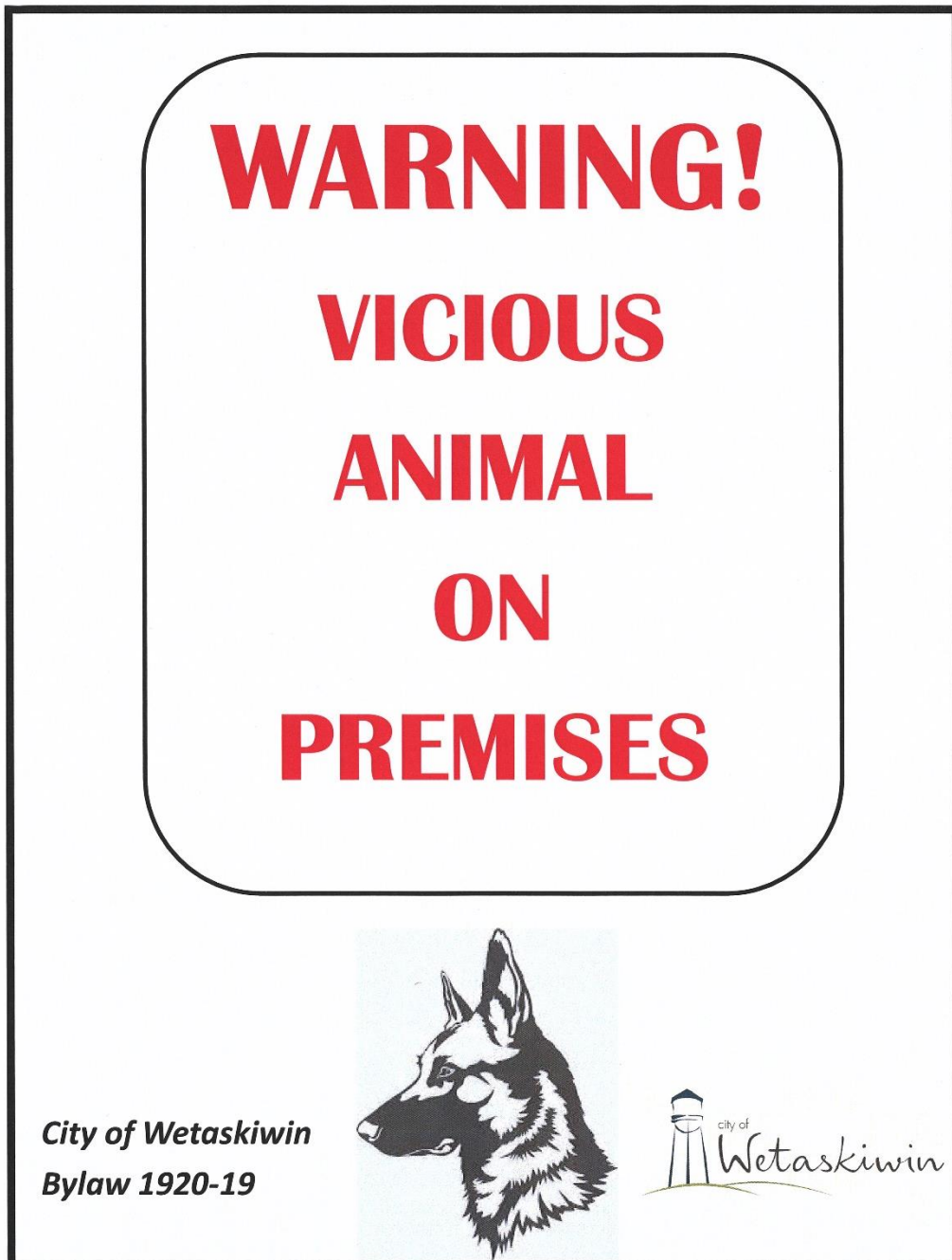
\_\_\_\_\_  
Signature of Peace Officer

\_\_\_\_\_

**SCHEDULE "F"**

**VICIOUS ANIMAL SIGN**

Required for a Vicious Animal pursuant to the Bylaw.



**SCHEDULE "G"**  
**APA SEIZURE FORM**



**Enforcement Services**

**Notice of Seizure of Animal under the Animal Protection Act**

File Number: \_\_\_\_\_

Take notice that on \_\_\_\_\_, 20\_\_\_\_ under the *Animal Protection Act* the following animal(s) was (were) taken into custody:

- |   |       |   |       |
|---|-------|---|-------|
| 1 | _____ | 5 | _____ |
| 2 | _____ | 6 | _____ |
| 3 | _____ | 7 | _____ |
| 4 | _____ | 8 | _____ |

by \_\_\_\_\_ Peace Officer Reg Number \_\_\_\_\_

City of Wetaskiwin Enforcement Services  
5005 48 Avenue  
Box 6210  
Wetaskiwin, AB T9A 2E9  
Phone: (780) 361-4401

and pursuant to:

- section 3 of the *Animal Protection Act*, or  
 section 4.1 of the *Animal Protection Act*

The animal(s) was (were) delivered to:

- City of Wetaskiwin Animal Shelter located at 4735 39 Avenue, Wetaskiwin, AB  
 Other: \_\_\_\_\_

If the animal(s) is (are) not claimed or the payment of expenses is not made, the animal may be sold, given away or in accordance with section 8 of the *Animal Protection Act*, destroyed.

\_\_\_\_\_  
Signature of Peace Officer



**SCHEDULE "H"**  
**CAT TRAP APPLICATION**



**Enforcement Services**

Cat Trap Agreement

Date: \_\_\_\_\_ Trap Number: \_\_\_\_\_

The undersigned agrees to the following terms and conditions:

- 1 To only place the trap on his or her property in the City of Wetaskiwin.
- 2 To personally check the trap each hour while the trap is set.
- 3 In the event that a cat is trapped, to either immediately contact a Peace Officer at (780) 361-4401 Ext 1 who will come and pick up the trap and cat or deliver the trap to the City of Wetaskiwin Shelter located at 4735 39 Avenue in Wetaskiwin, AB.
- 4 In the event that a cat is trapped the undersigned is responsible for the humane treatment of the cat including feeding and watering. A captured cat should be left in the trap and placed in a warm dry secure place with a blanket over the top to pacify the animal until it is either picked up by a Peace Officer.
- 5 Cat traps are not to be used when the temperature falls below 0 degrees Celsius or rises over 25 degrees Celsius.
- 6 To be responsible for the trap, including the cost of repair or replacement if damaged, lost or stolen. The trap is to be returned in a good and clean condition.
- 7 Traps are not to be set on Statutory Holidays when the City of Wetaskiwin Shelter is closed.

**\* IT IS A CRIMINAL OFFENCE TO HARM ANY DOMESTIC ANIMAL**

Address of intended location of trap: \_\_\_\_\_

I understand and accept all liability, which may arise on connection with the use of this cat trap while it is in my possession, and will save and indemnify the City of Wetaskiwin for all such liability.

Signature: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Identification: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Trap to be Returned By: \_\_\_\_\_

Date Returned: \_\_\_\_\_

Received By: \_\_\_\_\_

Remarks: \_\_\_\_\_

The personal information collected on this form is collected under the authority of the *Freedom of Information and Protection of Privacy (FOIP) Act* and the City of Wetaskiwin Bylaw 1920-19. The information will only be used for the purposes described. If you have any questions, please contact the City of Wetaskiwin FOIP Coordinator at (780) 361-4400.

## SCHEDULE "I"



### Over-Limit Permit Application

Applicant Name(s): \_\_\_\_\_ Contact Name: \_\_\_\_\_  
(if different than applicant)

Mailing Address: \_\_\_\_\_

\_\_\_\_\_  
City Province Postal Code

Property Address: \_\_\_\_\_  
(if different than mailing address)

\_\_\_\_\_  
Phone Number Alternate Number Email

How would you like to receive you permit?

Call when it is ready for pick up  Mail  Fax  Email

Please indicate the total number of animals over the allowed limit within the residence:

\_\_\_\_\_ Dogs \_\_\_\_\_ Cats

Please drop off the completed permit application at the following locations:

1. City Hall located at 4705 50 Avenue
2. Enforcement Services located at 5005 48 Avenue (RCMP Detachment)

or via email to [peace.officer@wetaskiwin.ca](mailto:peace.officer@wetaskiwin.ca)

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**Collection and use of personal information**

Personal Information is collected in accordance with section 3 of the *Municipal Government Act* and section 33(c) of the *Freedom of Information and Protection of Privacy Act* (FOIP) and is protected by FOIP. It will be shared with internal departments for the purposes of processing the application and enforcing the bylaw. If you have any questions about the collection and use of your information, contact the FOIP Coordinator at (780) 361-4400.

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