

**TOWN OF LEGAL  
BY LAW #12-2022  
ANIMAL CONTROL BYLAW**

**A BYLAW OF THE TOWN OF LEGAL IN THE PROVINCE OF ALBERTA, TO LICENSE AND CONTROL DOGS, CATS, DOMESTIC ANIMALS AND EXOTIC ANIMALS WITHIN THE TOWN OF LEGAL.**

**WHEREAS** the Council wishes to restrain and regulate the running-at-large of Dogs and Cats in the Town of Legal; and

**WHEREAS** the Council deems it expedient to license Dogs and Cats in the Town of Legal; and

**WHEREAS** the Council wishes to regulate the keeping of domestic and exotic animals; and

**WHEREAS** the *Municipal Government Act* RSA 2000, Chapter M-26 as amended or repealed and replaced from time to time, authorizes Council to pass such a Bylaw;

**NOW, THEREFORE**, the Council of the Town of Legal duly assembled enacts as follows:

**1.0 TITLE**

1.1 This Bylaw may be cited as the "ANIMAL CONTROL BYLAW."

**2.0 DEFINITIONS**

2.1 In this Bylaw, unless the context otherwise requires, the following definitions shall apply:

- a) "ANIMAL CONTROL OFFICER" means the person or persons appointed as such from time to time by the Town of Legal Council, to perform any duties under this Bylaw and includes but is not limited to; a member of the Royal Canadian Mounted Police, a Peace Officer and a Bylaw Enforcement Officer;
- b) "ALTERED" is used as an adjective to refer to an animal that 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;
- c) "ANIMAL SHELTER" means the premises designated by the Town for the purpose of impounding and caring for all dogs and cats found to be contravening any section of this Bylaw;
- d) "AT LARGE" means any dog or cat deemed at large when:
  - i) off the property of the Owner or other permitted property; or
  - ii) not secured by a leash or lead; or
  - iii) not under the control of a responsible person.

'At Large' does not preclude animals from surrounding boundaries within the County that wander into Legal;

- e) "CAT" means either a male or female of the Felidae family;
- f) "CAO" means the Chief Administrative Officer of the Town of Legal or their designate;
- g) "COLLAR" means any device made of leather, chain, or other material that is capable of having approved dog or cat tags securely fastened to it, and designed and solely intended to be worn around the neck of a dog or cat;
- h) "COUNCIL" means the Town Council for the municipal corporation of the Town of Legal;
- i) "DAMAGE TO PUBLIC OR PRIVATE PROPERTY" means damage to property other than the Owner's property, and includes defecating or urinating on such property;



- j) "DOG" means any domestic canine animal (*Canis Familiaris*);
- k) "DOMESTIC ANIMAL" means an animal which has been habituated to live and breed in a tame condition, in or about habitations of people. For the purpose of this Bylaw it will include dogs and cats;
- l) "DWELLING UNIT" means a self-contained living premises with cooking, eating, living, sleeping and sanitary facilities for domestic use of one (1) or more individuals;
- m) "EFFECTIVE CONTROL" means a person of suitable size, strength and maturity, using a leash to control the movements of an animal. Control must take into consideration that the animal may be or become excited, agitated, scared, etc. In addition to this meaning a Guard Dog, a dog that has been declared Vicious or a dog that the Owner suspects may be or become Vicious, must be controlled by a responsible person of at least eighteen (18) years of age;
- n) "EXOTIC ANIMALS" means all those animals that are not otherwise covered in this Bylaw;
- o) "GUARD DOG" means a dog trained to patrol privately owned residential or non-residential property, whether or not accompanied by its Owner or someone acting on behalf of and with the authority of its Owner for the purpose of protecting said property against, inter alia, break-in, theft, trespass, and vandalism;
- p) "KENNEL" means any place owned by any person, group of persons, or corporation engaged in the commercial business of breeding, buying, selling or boarding animals of any kind;
- q) "LAND USE BYLAW" means the Town's Land Use Bylaw, as amended or repealed and replaced from time to time;
- r) "LARGE ANIMAL" means an animal, other than that of a person, dog or cat, that as an adult will weigh in excess of fifteen (15) kilograms.
- s) "LEASH" means a chain or other material capable of controlling the animal on which it is being used;
- t) "LICENCE" means an identification tag of metal or other material issued by the Town showing the licence number of a specific animal;
- u) "LIVESTOCK" includes but is not limited to:
  - i) a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep or goat;
  - ii) domestically reared or kept deer, elk, or both species of bison (wood and plains);
  - iii) farm bred fur bearing animals including foxes, mink, chinchilla, et al;
  - iv) animals of the bovine species;
  - v) animals of the avian species including chickens, turkeys, ducks, geese, pheasants;
  - vi) all other animals that are kept for agricultural purposes but does not include cats, dogs or other domesticated household pets;
- v) "MICROCHIPPED" means an object which may be permanently implanted in a dog or 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;
- w) "MOTOR VEHICLE" means;
  - i) a vehicle propelled by any power other than muscle power; or
  - ii) a moped but does not include a bicycle, a power bicycle or an implement of husbandry;



- x) "MUZZLED" means an animal wearing a professionally designed device so as to prevent the animal from being able to bite a person or another animal and is unable to remove the device by itself;
- y) "NEUTERED" means rendered permanently incapable of reproduction;
- z) "NOISE" means a noise created by a Domestic Animal that is without direct valid cause and excessive in the opinion of an Animal Control or Bylaw Enforcement Officer, and constitutes an unreasonable disturbance of the quiet or repose of a person;
- aa) "NON-DOMESTIC ANIMAL" means any wild animal, reptile, livestock or fowl, which is not naturally tame or gentle but is of a wild nature or disposition and which, because of its size, vicious nature or other characteristics would constitute a danger to human life or property;
- bb) "NUISANCE" means a dog or cat deemed a nuisance if it:
  - i) 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;
  - ii) causes unsanitary, dangerous or offensive conditions;
  - iii) causes a disturbance by excessive barking or other noise making; or
  - iv) chases vehicles or molests, attacks or interferes with persons or other domestic animals on public property;
- cc) "OWNER" means and includes any person owning, possessing, having the charge or control over, harboring, suffering or permitting any dog or cat to remain about their house or property;
- dd) "PERMANENT IDENTIFICATION" means an electronic microchip or tattoo encoded with identification information which has been implanted in an animal by a licensed veterinarian;
- ee) "POUNDKEEPER" shall include the Animal Control Officer and any person or persons duly authorized to operate the Animal Shelter;
- ff) "PROHIBITED ANIMALS" means those animals that are not allowed to be kept or housed, whether temporarily or permanently within the Town of Legal municipal limits;
- gg) "PROPERTY OWNER" means the person who is registered under the *Land Titles Act, RSA 2000 c. L-4*, as amended or replaced from time to time, as the Owner of the fee simple estate in land, or a Person who is recorded as the Owner of the property on the tax assessment roll of the Town;
- hh) "PUBLIC PROPERTY" means any property within the Town owned or occupied by the Government of Canada, Government of Alberta or by the Town of Legal or otherwise under the control and management of the Town;
- ii) "RESTRICTED ANIMALS" means those animals that by number, type or land use zoning may be restricted in number or areas in which they may be kept or housed but shall not for this Bylaw include dogs or cats;
- jj) "SECURE AND LOCKED PEN" means a locked building, cage or fenced area of such construction that will not allow the confined dog(s) or cat(s) to jump, climb dig or force their way out, or allow the entry of any person not in control of the dog or cat;
- kk) "SERVICE DOG" means a dog individually trained by a recognized agency to do work or perform tasks for people with disabilities; or as described in the Alberta Provincial statues and regulations *Service Dogs Act* and *Blind Persons' Rights Act*. This will include any other Provincial or Federal laws concerning the rights of Service Dogs and their Owners;

- ll) "SERIOUS WOUND" means an injury resulting from an animal bite, clawing or attack which causes the skin to be broken, or the flesh to be torn;
- mm) "SPAYED" means rendered permanently incapable of reproduction;
- nn) "TENANT": is:
  - i) a person who is permitted by the landlord to occupy residential premises under a residential tenancy agreement;
  - ii) a person who is permitted to occupy residential premises under an assignment or sublease of a residential tenancy agreement to which the landlord has consented under the *Residential Tenancies Act*; and
  - iii) an heir, assign or personal representative of a person referred to in subclause (i) or (ii).
- oo) "TOWN" means the municipal corporation of the Town of Legal;
- pp) "UNALTERED" means an animal either male or female and has not been sterilized;
- qq) "VICIOUS DOG" means any dog which:
  - i) has been declared to be dangerous by a Justice under the provisions of the *Dangerous Dogs Act* RSA 2000, Chapter D-3 and amendments thereto;
  - ii) has been determined by, and declared a Vicious Dog by the Animal Control Officer and Chief Administrative Officer (CAO);
- rr) "VIOLATION TAG" means a Violation tag issued under the authority of the Town of Legal which complies with Part 10 Sections 10.4 and 10.5 hereof;
- ss) "VIOLATION TICKET" means a Violation ticket issued pursuant to the provisions of Part 2 or Part 3 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34 ("POPA"), or the regulations thereunder;
- (jj) "WARNING SIGN" means a sign that;
  - i) is not less than 15 cm by 20 cm (approximately 6 inches by 8 inches) in dimension;
  - ii) has bold block letters not less than 5cm (2 inches) in height;
  - iii) declares at a minimum "BEWARE A "VICIOUS DOG" or "GUARD DOG" (whichever one is applicable) ON PREMISES";
  - iv) shall be made of a durable all weather type material.

### 3.0 LICENSING

- 3.1 No person, or combination of persons, residing at any single Dwelling Unit shall own, keep or harbor more than three (3) domestic animals, or combination thereof, older than six (6) months at any one time.
- 3.2 Animal Sitting:
  - a) At no time shall the number of weaned dogs and/or weaned cats exceed four (4) of any combination, during the period of animal sitting, including those of the sitter;
  - b) No person shall animal sit for animals licensed in the Town of Legal, in a residential district for a period exceeding six (6) months;
  - c) No person shall animal sit for animals not licensed in the Town of Legal, in a residential district for a person exceeding thirty (30) days.
- 3.3 No person shall own, keep or harbor any dog or cat over the age of six (6) months within the Town limits unless such dog or cat is licensed as herein provided.
- 3.4 In any prosecution or proceeding for a contravention of this Section, the burden of proof as to the age of the dog or cat and that of the person charged under this Section that is not the Owner of the said dog or cat shall rest upon the person so charged.



- 3.5 Where a dog is deemed to be a Vicious Dog pursuant to the provisions of this Bylaw, the Owner of said dog shall be required to obtain a Vicious Dog Licence; paying the appropriate license fee as set out in Schedule "A" attached hereto. The following condition must be met before a Vicious Dog Licence will be issued:
- a) Provide proof of an Active Liability Insurance Policy as described in Section 6.
- 3.6 The Owner of every weaned dog or cat in the Town shall, between the first (1<sup>st</sup>) day of January and the fifteenth (15<sup>th</sup>) day of February in each calendar year, obtain a license and pay the license fee for the current year as set out in Schedule "A" which can be amended from time to time and forms part of this Bylaw.
- 3.7 Where a license is issued after February 15<sup>th</sup>, the Late Payment Fee as identified in Schedule "A", shall not apply to:
- a) the Owner of a dog or cat brought into the Town after February 15<sup>th</sup>;
  - b) the Owner of a dog or cat that is weaned after February 15<sup>th</sup>.
- 3.8 A licence, as required in Sections 3.5 to 3.7 will not be issued to anyone having outstanding fines that have arisen as a result of this Bylaw unless such outstanding fine is under judicial review.
- 3.9 Every person who becomes the Owner of a dog or cat which is currently licensed in accordance with the provisions of this Bylaw, shall provide the Town with their name, street address and the current licence number of the dog or cat within fifteen (15) days after becoming the Owner of the said dog or cat to obtain a dog or cat license and pay the license fee for the current year as set out in Schedule "A" which forms part of this Bylaw.
- 3.10 A dog or cat Owner shall provide the following information with each application for a dog or cat licence;
- a) Name and address of the dog or cat Owner;
  - b) Name and description of the dog or cat to be licensed;
  - c) The breed or cross-breed of the dog or cat;
  - d) Tattoo or implanted microchip number (if available);
  - e) Whether or not the dog has ever been assessed as a Dangerous, Vicious or Restricted Dog in its history; and
  - f) Such other relevant and necessary information as may be required by the Town with respect to the application.
- 3.11 In the event a property is being occupied by a Tenant, or other Person designated by the Property Owner, other than the Owner, original documentation confirming the dog or cat Owner is a resident of the Town of Legal will be required from the Property Owner. This shall be in the form of a letter or email from the property owner advising the Town that the dog or cat Owner resides on their property.
- 3.12 A dog or cat Owner shall not provide misleading or false information when applying for a licence.
- 3.13 Licences issued under this Bylaw shall not be transferable from one dog or cat to another, or from one Owner to another.
- 3.14 Upon payment of the required licence fee, the Owner will be supplied with a Licence Identification Tag.
- 3.15 If a dog that has a yearly identification tag is designated to be Vicious under this Bylaw the current identification tag becomes invalid. The tag then must be surrendered to the Town without compensation and a Vicious Dog Licence with appropriate payment as stated in Schedule "A" shall be obtained.
- 3.16 Every Owner shall ensure that the licence tag is either securely fastened to a choke chain, collar, or harness which must be worn by the dog or cat at all times or is in the possession



of the Owner and available upon request whenever the dog or cat is on property other than the property of the dog or cat Owner or property owned, leased or rented by the Owner.

- 3.17 Every Owner of a Vicious Dog shall ensure that the licence tag is either securely fastened to a choke chain, collar, or harness which must be worn by the dog whenever the dog is on property other than the property of the dog Owner or property owned, leased or rented by the Owner.
- 3.18 The Owner of a dog or cat which has been duly licensed under this Bylaw, may obtain a licence tag to replace a licence tag which has been lost, upon payment of the licence tag replacement fee as set out in Schedule "A" attached hereto.
- 3.19 The provisions of Part 3, Sections 3.1 to 3.19 inclusive, shall not apply to the following:
- a) persons temporarily in the Town for a period not exceeding thirty (30) days;
  - b) holders of a valid development permit, issued pursuant to the Land Use Bylaw, authorizing the operation of a Kennel;
  - c) persons holding an identification card proving ownership and certification of a Service Dog for their use;
  - d) persons caring for a dog or cat for a period of no longer than thirty (30) days, once per year, where the Owner of the dog or cat resides outside the municipal boundaries as long as the animal is able to be identified through one or more of the following:
    - i) other municipal tags;
    - ii) tattoos; or
    - iii) identification chipping.

#### 4.0 CONTROL OF DOMESTIC ANIMALS

- 4.1 The Owner of any animal shall not permit such Animal to be At Large within the corporate limits of the Town of Legal.
- 4.2 A dog is not considered At Large while it is completely inside the confines of the Off-Leash Park as described in Section 5.0.
- 4.3 The Town may post signs indicating those Public Property Areas within the Town wherein the presence of dogs or cats whether At Large or under the control of the Owner, is expressly prohibited. The Owner of the dog or cat found in such assigned areas shall have committed an offence under this Bylaw.
- 4.4 Section 4.3 shall not apply to an Owner of a Service Dog.
- 4.5 No Owner shall permit their animal to cause damage to public or private property.
- 4.6 The Owner of an animal shall not tether any animal on or to public property including but not limited to trees, fences, sign poles and/or benches.
- 4.7 The Owner of a female animal in estrus or "heat" must contain or restrain said animal both on their property and off so as not to cause the attraction of other animals.
- 4.8 A person in care and control of a dog or cat not on their own property must carry and produce when asked, a means of removing their dog's or cat's defecation.
- 4.9 If a dog or cat defecates on any public or private property other than the property of its Owner, the Owner shall cause such defecation to be removed immediately.
- 4.10 The Owner of any property where an animal is kept shall maintain such property at all times in a clean, sanitary and inoffensive condition.
- 4.11 No Owner shall permit their dog to bark or howl excessively or their cat to meow or howl excessively.





- 4.12 The Owner of a Domestic Animal shall not permit their animal to:
- a) threaten or bite people;
  - b) chase motor vehicles;
  - c) chase people; or
  - d) attack, harass, injure or kill pets belonging to other persons.
- 4.13 An Owner shall not be deemed to have failed or refused to comply with the requirements of Section 4.12 where their Domestic Animal threatens, chases, attacks or bites:
- a) a trespasser on the property where its Owner resides, or in the case of a Guard Dog, a trespasser on the property being patrolled by said dog pursuant to the provisions of Part 6, Section 6.3 of this Bylaw; or
  - b) a person who is physically abusing or teasing said Domestic Animal.
- 4.14 The Animal Control Officer is authorized to capture and impound all dogs, cats, Domestic Animals, Non Domestic Animals, Vicious Dogs or Prohibited Animals found contrary to the provisions of this Bylaw. They are further authorized to take such reasonable measures as necessary to subdue such dogs, including use of tranquilizer equipment and materials. If any such dog is seriously injured, it shall be taken to a Veterinarian for treatment to relieve pain or bleeding, then immediately to the Municipal Dog Shelter.
- 4.15 In enforcement of the jurisdiction provided in Section 4.14, the Animal Control Officer is hereby authorized to enter any privately-owned premises at reasonable times.
- 4.16 The authority of an Animal Control Officer to enter privately-owned premises does not extend to include the entry of a building used as a dwelling unit.
- 4.17 To assist in the seizure of animals At Large, live animal traps may be utilized by the Animal Control Officer.
- 4.18 No person, whether or not they are the Owner of an animal which is being or has been pursued or captured shall:
- a) interfere with or attempt to obstruct an Animal Control Officer who is attempting to capture or who has captured any animal in accordance with the provisions of this Bylaw.
- 4.19 No person shall:
- a) tease, taunt or otherwise harass any Domestic Animal;
  - b) physically harm, attempt to harm or cause harm to a Domestic Animal;
  - c) release, cause to escape or encourage to escape any animal from their enclosure, tether, or confinement.
- 4.20 The Pound Keeper shall keep all dogs or cats captured and impounded pursuant to the provisions of this Bylaw for a period of at least seventy-two (72) hours; however regardless of the time impounded, all unclaimed animals will be taken to the Edmonton Humane Society or an equivalent type facility.
- 4.21 During the period that the Animals are kept at the Town's designated holding facility, any dog or cat may be redeemed by its Owner or agent of the Owner upon payment of:
- a) the appropriate licence fee when a Dog or Cat is not licensed, payable to the Town;
  - b) the payment of any penalties or fines owed to the Town as it relates to the animal in accordance to this Bylaw;
  - c) a per diem impounding fee, as established per the Animal Shelter, payable to the Contractor;
  - d) the appropriate fee as it relates to Sections 4.23 or 4.30 if applicable.
- 4.22 If a Dog or Cat is not redeemed within the seventy-two (72) hours referred to in Section 4.20, said Dog or Cat may be destroyed or sold to a person other than the Owner, upon payment to the Town of all applicable fees as referred to in Section 4.21(c), (d).



- 4.23 The Pound Keeper shall report any apparent illness, communicable disease, injury or unhealthy condition of any impounded dog or cat to a veterinarian and act immediately upon the Veterinarian's recommendations. The Owner of the dog or cat will be responsible for all resulting financial charges.
- 4.24 When, in the judgment of a licensed veterinarian, a dog or cat should be destroyed for humane reasons, such dog or cat may not be redeemed.
- 4.25 No action for damages shall be taken against any person acting under the authority of this Bylaw for destruction or disposal of a dog or cat.
- 4.26 Where an animal has inflicted a serious wound on a person, pet or Domestic Animal, the person or Owner of the pet or animal who has received the said wound, and the Owner of the animal causing the serious wound, where said Owner is aware of the serious wound being inflicted, shall promptly report the occurrence to the Animal Control Officer, or in the absence of the Animal Control Officer, immediately report the incident to the Town of Legal.
- 4.27 Upon demand of the Animal Control Officer, the Owner shall forthwith surrender any animal which has inflicted a serious wound upon any person.
- 4.28 Where an animal is captured pursuant to this Section, the Animal Control Officer may quarantine such animal, which shall not be released from such quarantine except by written permission of a licensed Veterinarian.
- 4.29 Quarantine location shall be at the discretion of the Animal Control Officer.
- 4.30 Expenses, if any, for costs incurred as a result of actions from Sections 4.26 to 4.29 will be the Animal Owner's responsibility.

## 5.0 OFF-LEASH PARK

- 5.1 The Town may designate specific areas within the Town to be an off-leash park.
- 5.2 When in a designated off-leash park the owner of a dog shall;
- a) ensure that their dog remains leashed until the dog is completely within the confines of the off-leash park;
  - b) remain under control of the dog by voice or hand signals at all times;
  - c) have in their immediate possession a proper leash;
  - d) ensure that no dog under the age of twelve (12) weeks be permitted to enter or remain in an off-leash park;
  - e) ensure that their dog is wearing a collar;
  - f) ensure that their dog is displaying a valid license issued to it in accordance with this Bylaw;
  - g) ensure that their dogs' vaccinations are current;
  - h) ensure that their dog is not left unattended;
  - i) ensure that if their dog defecates in an off-leash park that such defecation is removed immediately and disposed of properly;
  - j) immediately remove any dog that initiated or is the aggressor of an altercation;
  - k) ensure that no female dogs currently in heat (estrus cycle) are permitted to be or remain in an off-leash park;
  - l) not allow the destruction of property by a dog, including digging;
  - m) ensure their dog does not chase any wildlife or any other animal;
  - n) abide by any other rules established and adequately posted by the Town.
- 5.3 No owner shall allow a dog that has been declared dangerous in accordance with this Bylaw, has previously bitten any person or animal, or is known to have aggressive behavior, to be in an off-leash park.
- 5.4 An Animal Control Officer may suspend off-leash park privileges to any person, owner or dog who fails to follow this Bylaw, established park rules or if upon observation of a dog the Animal Control Officer is of the opinion that the dog will cause or continue to cause a nuisance within the off-leash park.





- 5.5 The Town shall notify the person or owner in writing of any suspension of off-leash park privileges.
- 5.6 No person or owner shall enter or allow a dog to enter an off-leash park if off-leash park privileges have been suspended or revoked.

## 6.0 VICIOUS DOGS AND GUARD DOGS

- 6.1 The Owner of a Vicious Dog shall not permit such animal to be At Large within the corporate limits of the Town.
- 6.2 The Owner of a declared Vicious 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.
- 6.3 Section 6.2 shall not apply in the case of a Guard Dog, where said Guard Dog is actively engaged in patrolling privately-owned, residential or non-residential property provided:
- a) the perimeter of the property being patrolled is sufficiently secured by way of a continuous fence or other form of barricade or barrier so as to prevent such dog from escaping there from or people entering unlawfully; and
  - b) warning signs are posted around the perimeter and all entrance points of the said property alerting the public that the said property is patrolled by a Guard Dog;
    - i) Warning signs must always be kept legible, viewable and in good repair.
  - c) the said Guard Dog is under the effective control of its Owner, or someone over the age of eighteen (18) years acting on behalf of and with the authority of the Owner, as required by this Bylaw, while said person is in attendance on the property being patrolled.
- 6.4 The Owner of a Vicious Dog shall not permit, suffer or allow such Vicious Dog to be on any public property area or private property that is not owned or under the control of such Owner, unless the Vicious Dog is:
- a) muzzled; and
  - b) on a leash; and
  - c) under the effective control of the Owner or someone over the age of eighteen (18) years acting on behalf of and with the authority of the Owner as required by this Bylaw.
- 6.5 Paragraphs 6.4 (a), (b), (c), shall not apply where the Vicious Dog is confined within a secure and locked pen.
- 6.6 A Vicious Dog is prohibited from entering an Off-Leash park.
- 6.7 At all times while a Vicious Dog is on the property on which its Owner resides, the Owner shall either keep such dog confined indoors and under the effective control of a person over the age of eighteen (18) years, acting on behalf of and with the authority of the Owner as required by this Bylaw, or confined in a secure and locked pen capable of preventing the entry of young children.
- 6.8 Where a Vicious Dog is on private property owned by, or under the control of its Owner, said Owner shall not allow the Vicious Dog to be outdoors or out of a secure and locked pen unless the Vicious Dog is on a leash and under the effective control of the Owner or someone over the age of eighteen (18) years acting on behalf of and with the authority of the Owner as required by this Bylaw.
- 6.9 Section 6.7 and 6.8 shall not apply in the case of a Guard Dog, where said Guard Dog is actively engaged in patrolling privately owned, non-residential property or under the control of its Owner, or someone over the age of eighteen (18) years acting on behalf of and with the authority of the Owner.
- 6.10 When the Animal Control Officer or Pound Keeper has either, through personal observation, or after a complaint has been filed, believes that a dog;



- a) shows a propensity, disposition or potential to attack or injure, without provocation, humans or other animals;
- b) could be a continuing threat of serious harm to humans or other animals;
- c) without provocation, chases any person in a threatening manner;
- d) has inflicted a serious wound upon a human or upon a Domestic Animal without provocation;
- e) is owned or harbored for the purpose of dog fighting;

there will be sufficient evidence for the Animal Control Officer or Pound Keeper to start an investigation and or proceeding into declaring a dog as Vicious.

- 6.11 If the results of the investigation warrant it, the dog may be declared Vicious with the authority and agreement of both the Animal Control Officer and the Chief Administrative Officer.
- 6.12 If the dog is declared Vicious under this Bylaw then the Animal Control Officer shall in writing:
  - a) inform the Owner that said dog has been determined to be a Vicious Dog;
  - b) require the Owner to keep said dog in accordance with the provisions of this Bylaw respecting Vicious Dogs;
  - c) inform the Owner that, if said Vicious Dog is not kept in accordance with the provisions of this Bylaw with respect to Vicious Dogs, the Owner will be fined, or subject to enforcement action pursuant to Sections 6.1 to 6.8 and 6.13 to 6.15 of this Bylaw.
- 6.13 The decision to have a dog declared Vicious is only appealable to Town Council whose decision will be final.
- 6.14 If in the opinion of the Animal Control Officer or Pound Keeper that a dog is dangerous they may make a complaint under the *Dangerous Dogs Act* RSA 2000, Chapter D-3 for an Order directing, inter alia, that such dog be controlled or destroyed whether or not the dog has first been declared Vicious.
- 6.15 Where a dog is deemed to be a Vicious Dog pursuant to the provisions of this Bylaw, the Owner of such dog shall:
  - a) post warning signs on their premises alerting the public that a Vicious Dog is located on said premises; and
    - i) warning signs must always be kept legible, viewable and in good repair;
    - ii) post a sign at every entrance or access to the property;
  - b) not breed or sell such dog within the Town;
  - c) notify the Animal Control Officer or Pound Keeper and the Town Office should said dog be At Large;
  - d) obtain the appropriate Vicious Dog Licence as specified by the Town which is to be worn by such dog at all times; and
  - e) have such dog tattooed and/or chipped to the satisfaction of the Animal Control Officer, for the purpose of identifying such dog, should the identification tag not be on the animal.
- 6.16 As a condition of obtaining a Vicious Dog Licence, the Owner shall have and keep in place a policy of liability insurance in a form satisfactory to the Town of Legal that shall;
  - a) provide a third-party liability coverage in a minimum amount of one million dollars (\$1,000,000.00) that will cover the costs for any injuries that may be caused by the Owner's dog; and
  - b) contain a provision requiring the issuer to immediately notify the Town in writing should the policy expire or be cancelled or terminated.
- 6.17 Where a declared Vicious Dog has inflicted a serious wound, the person who has received the said wound, or the Owner of said animal, where said Owner is aware of the serious wound being inflicted, shall promptly report the occurrence to the Animal Control Officer, or in the absence of the Animal Control Officer, immediately report the incident to the



Town.

## **7.0 RESTRICTED ANIMALS**

- 7.1 An Animal Control Officer is authorized to investigate any complaints arising from the keeping of Restricted Animals. Where, pursuant to said investigation, the Animal Control Officer determines that:
- a) the Restricted Animals are not being kept in accordance with the provisions of this Bylaw, the permit issued and the conditions of the permit; or
  - b) the said Restricted Animals have caused damage to the property of another person, the Animal Control Officer may direct the Owner of said Restricted Animal(s) to comply with the provisions of this Bylaw and without limiting the generality of the foregoing, may direct the said Owner to restrain, dispose of, or destroy same.

## **8.0 PROHIBITED ANIMALS**

- 8.1 No person shall keep, harbor, or possess any poisonous snakes or reptiles.  
8.2 No person shall keep, harbor, or possess an animal that is not stated in this Bylaw.

## **9.0 RABIES CONTROL**

- 9.1 In the event of an outbreak or a threatened outbreak of rabies or any disease affecting any animal and which may be transmitted to human beings, Council may, by resolution, order and direct that all animals shall be kept securely tied up by the Owner or shall be otherwise effectively confined. Any animal found At Large in contravention of this Section shall be impounded.
- 9.2 Upon demand made by the Animal Control Officer, an Owner shall forthwith surrender any animal which the Animal Control Officer has reasonable and probable grounds to suspect of having been exposed to rabies, for supervised quarantine which expense shall be borne by the Owner, and the animal may be reclaimed by the Owner once adjudged free of rabies, upon payment of confinement expenses and upon compliance with the licensing provisions of this Bylaw.
- 9.3 When an animal under quarantine has been diagnosed as rabid, or suspected by a licenced Veterinarian as being rabid, and dies while under such observation, the Pound Keeper shall immediately send the head of such Animal to the appropriate health department for pathological examination and shall notify the Public Health Officer of reports, human contacts and the diagnosis made of the suspected animal.
- 9.4 During such period of rabies quarantine as herein mentioned, every animal bitten by an animal adjudged to be rabid, shall either be forthwith destroyed or shall be treated for rabies infection by a licenced Veterinarian, at the Owner's expense.
- 9.5 The carcass of any dead animal exposed to rabies shall be reported to, and, upon demand, be surrendered to the Pound Keeper or Animal Control Officer.
- 9.6 The Pound Keeper shall direct the disposition of any animal found to be infected with rabies.

## **10.0 PENALTIES**

- 10.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine as set out in Schedule "A" which is attached hereto as part of this Bylaw.
- 10.2 Notwithstanding Section 10.1 of this Bylaw, any person who commits a second or subsequent offence under this Bylaw within one (1) year of committing the first offence shall be liable to a fine of not less than the double sum as set out in item of Schedule "A" which is attached hereto as part of this Bylaw.
- 10.3 Schedule "A" may be amended from time to time and shall form part of this Bylaw.

- 10.4 An Animal Control Officer is hereby authorized and empowered to issue a Violation Tag or Violation Ticket to any person who contravenes any provision in this Bylaw.
- 10.5 Such Violation Tag or Violation Ticket may be issued to such person:
- a) either personally or by leaving a copy for them at their last most usual place of abode; or
  - b) by mailing a copy to such person to their last known address.
- 10.6 The Violation Tag shall state, inter alia:
- a) the name of the offender;
  - b) the offence;
  - c) the appropriate fine for the offence as specified in Schedule "A" of this Bylaw; and
  - d) that the fine shall be paid within thirty (30) days of the issuance of the Violation Tag.
- 10.7 Where a contravention of this Bylaw is of a continuing nature, further Violation Tags or Violation Tickets for the same offence may be issued by an Animal Control Officer, provided however, that no more than one (1) Violation Tag shall be issued for each day that the contravention continues.
- 10.8 Where a Violation Tag is issued, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay the Town the sum specified on the Violation Tag.

**11.0 GENERAL**

- 11.1 Each Section of this Bylaw shall be read and construed as being separate and severable from each other Section. Furthermore, should any Section or Part of this Bylaw be found to have been improperly enacted for any reason, then such Section or Part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.
- 11.2 Bylaw #09-2021 is hereby repealed.
- 11.3 This Bylaw shall come into force and effect upon 3<sup>rd</sup> reading.

READ A FIRST TIME THIS 6<sup>th</sup> DAY OF September, 2022

  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 Chief Administrative Officer

READ A SECOND TIME THIS 6<sup>th</sup> DAY OF September, 2022

  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 Chief Administrative Officer

READ A THIRD TIME THIS 6<sup>th</sup> DAY OF September, 2022

  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 Chief Administrative Officer



**SCHEDULE "A"**

**LICENSE FEES AND PENALTIES**

<b>FEES</b>	<b>Value</b>	
Yearly licence for each neutered or spayed Dog or Cat	\$20.00	
Yearly licence for each unaltered Dog or Cat	\$30.00	
Animal licence purchased after February 15 <sup>th</sup> (Late fee for re-registering of Dog or Cat)	Additional 20%	
Animal license purchased between October 1 <sup>st</sup> and December 31 <sup>st</sup> for each neutered or spayed Dog or Cat	\$10.00	
Animal license purchased between October 1 <sup>st</sup> and December 31 <sup>st</sup> for each unaltered Dog or Cat	\$15.00	
Yearly Vicious Dog Licence	\$1,000.00	
Yearly license for Service Dog	No Charge	
License Replacement (Dog or Cat)	\$5.00	
<b>PENALTIES</b>	<b>Value</b>	<b>Section</b>
<b>All penalties where applicable are per Animal.</b>		
<b>All penalties are for first offence. Second offence within one year is double whether Animal or Owner.</b>		
Harboring more than three (3) Domestic Animals	\$200.00	Part 3, Section 3.1
Being in excess of a total of more than four (4) weaned dogs and/or cats combined while animal sitting	\$150.00	Part 3, Section 3.2
Animal sitting for longer than six (6) months	\$150.00	Part 3 Section 3.2(b)
Animal sitting for animals not licensed in the Town for longer than thirty (30) days	\$150.00	Part 3, Section 3.2(c)
Failure to obtain a dog or cat licence	\$100.00	Part 3, Sections 3.3, 3.7, 3.10, 3.13
Failure to obtain a Vicious Dog licence	\$1,000.00	Part 3, Section 3.6
Providing false or misleading information at time of application for License	\$150.00	Part 3, Sections 3.11, 3.12
Failure to ensure that a licence tag is present when a dog or cat is off the premises of the Owner	\$100.00	Part 3, Section 3.17
Permitting a dog or cat or animal to be At Large	\$200.00	Part 4, Section 4.1
Permitting a dog or cat to be in an area where the presence of dogs or cats is prohibited by a sign	\$150.00	Part 4, Section 4.3
Permitting an animal to cause damage to public or private property	\$150.00	Part 4, Section 4.5
Tethering an animal on or to public property including but not limited to trees, fences, sign poles and/or benches	\$150.00	Part 4, Section 4.6
Failure to contain or restrain animal in heat both on their property and off so as not to cause the attraction of other animals	\$150.00	Part 4, Section 4.7
Failure to have/carry/produce a means of cleaning up dog or cat defecation	\$100.00	Part 4, Section 4.8
Failure to remove a dog's or cat's defecation from a public property area or private property other than the property of the Owner of said dog or cat	\$150.00	Part 4, Section 4.9
Failure to keep property in a clean, sanitary, and inoffensive condition	\$200.00	Part 4, Section 4.10
Permitting a dog to bark or howl excessively or cat to meow or howl excessively	\$200.00	Part 4, Section 4.11
Allow Domestic Animal to threaten; bite; chase cars or people; or attack; harass, injure or kill a pet	\$200.00	Part 4, Section 4.12
Interference with an Animal Control Officer	\$ 1,000.00	Part 4, Section 4.178
Tease, taunt or harass any Domestic Animal	\$150.00	Part 4, Section 4.19(a)
Physically harm, attempt to harm or cause harm to a Domestic Animal	\$500.00	Part 4, Section 4.19(b)
Release, cause to escape or encourage to escape any animal from their enclosure, tether, or confinement	\$250.00	Part 4, Section 4.19(c)
Failure to advise the authorities where an Animal has inflicted a serious wound	\$500.00	Part 4, Section 4.26
Refusal of an Owner to surrender to the authorities, a dog which has inflicted a serious wound	\$500.00	Part 4, Section 4.27

Fail to comply with Off-Leash Dog Park/Area Rules	\$200.00	Part 5, Section 5.2
Allow Dangerous Dog to enter Off Leash Dog Park/Area	\$1,000.00	Part 5, Section 5.3
Enter Off Leash Dog Park/Area when not authorized	\$250.00	Part 5, Section 5.6
Permitting a Vicious Dog to be At Large	\$1,000.00	Part 6, Section 6.1
Allow a Vicious Dog to bite, chase or attack a person or animal	\$1,000.00	Part 6, Section 6.2
Guard Dog section of Bylaw not being followed	\$1,000.00	Part 6, Section 6.3
Failure to muzzle or otherwise secure a Vicious Dog when off the premises of the Owner	\$1,000.00	Part 6, Section 6.4
Permit a Vicious Dog to enter an off-leash park	\$1,000.00	Part 6, Section 6.6
Failure to confine a Vicious Dog when on the premises of the Owner in accordance with this Bylaw	\$1,000.00	Part 6, Sections 6.5, 6.7, 6.8
Failure to post warning signs of a Vicious Dog on the premises	\$1,000.00	Part 6, Section 6.15(a)
Breeding or selling a Vicious Dog within the municipality	\$1,000.00	Part 6, Section 6.15(b)
Failure to advise authorities if a Vicious Dog becomes At Large	\$1,000.00	Part 6, Section 6.15(c)
Failure to ensure that a collar and licence tag are worn when a Vicious Dog is off the premises of the Owner	\$1,000.00	Part 6, Section 6.15(d)
Failure to tattoo and/or microchip a Vicious Dog in conjunction with Licensing	\$500.00	Part 6, Section 6.15(e)
Failure to have or provide a proper insurance policy for a Vicious Dog	\$500.00	Part 6, Section 6.17
Failure to advise the authorities a Vicious Dog has inflicted a serious wound	\$1,000.00	Part 6, Section 5.16
Keeping any Prohibited Animal contrary to Part 8 – Prohibited Animals	\$500.00	Part 8, Sections 8.1, 8.2
Fail to report suspected rabies incident when required	\$500.00	Part 9
Any offence under this Bylaw for which a penalty is not otherwise provided	\$100.00	Part 10, Section 10.1
Second or subsequent offence(s) within one (1) year	Double the amount of fine for a first offence	Part 10, Section 10.2