

SUMMER VILLAGE OF MEWATHA BEACH

IN THE PROVINCE OF ALBERTA

BY-LAW #03-09

BEING A BY-LAW OF THE SUMMER VILLAGE OF MEWATHA BEACH TO REGULATE AND CONTROL DOGS WITHIN THE LIMITS OF THE SAID SUMMER VILLAGE.

WHEREAS, under the provisions of the Municipal Government Act, being Chapter M26 of the Revised Statutes of Alberta, September 1, 2000 and amendments thereto. The Council may pass a by-law authorizing regulation and control of dogs within the boundaries of the said Summer Village; and

WHEREAS, the Council of the Summer Village of Mewatha Beach deemed it proper and expedient to pass a by-law to regulate and control dogs within the boundaries of the said Summer Village;

NOW THEREFORE, under the authority and subject to the provisions of Section 164 of the Municipal Government Act, being Chapter M26 of the Revised Statutes of Alberta, 1980, and amendments thereto, the Council of the Summer Village of Mewatha Beach, in the Province of Alberta, duly assembled enacts as follows:

1. This by-law may be cited as "The Dog Control By-Law".

DEFINITIONS

2. a) "AT LARGE" – means a dog which is not on a leash and/or under the control of a person responsible and is actually upon property other than the property of the owner.
- b) "ANIMAL CONTROL OFFICER" – MEANS ANY PERSON, FIRM OR CORPORATION APPOINTED BY THE Council to administer and enforce the provisions of this by-law.
- c) "BY-LAW ENFORCEMENT OFFICER" – means a person appointed by the Summer Village Council pursuant to the provisions of Section 39 of the Police Act of Alberta.
- d) "PEACE OFFICER" – means any member of the royal Canadian Mounted Police force.

RUNNING AT LARGE

Within the boundaries of the Summer Village of Mewatha Beach.

2. a) The boundaries of the above mentioned Summer Village shall be the same as those shown in the Land Use By-law 56/97
- b) No person or persons owning or harbouring or having charge or custody of any dog or dogs shall allow such dog or dogs to run at large within the limits of the above mentioned Summer Village.

NUISANCE

4. a) The owner of a dog or dogs shall not permit the dog or dogs to be or become a public nuisance by:
 - i) biting or chasing a pedestrian.
 - ii) biting or barking at or chasing livestock, bicycles, automobiles, or other vehicles,
 - iii) barking, howling or otherwise disturbing any person,
 - iv) causing damage to property or other animals
- b) Where a dog or dogs have caused damage to property and other animals, the owner of the dog or dogs shall pay for all damages incurred to the person suffering such damages.
- c) The owner of a dog or dogs who allow such dog or dogs to upset waste receptacles or scatter the contents thereof, either in or about a roadway or other public property or in or about premises belonging to any individual is guilty of an offense and is liable to summary conviction.

AUTHORITY TO IMPOUND

5. a) An animal control officer, a By-Law Officer, or a peace officer may capture and impound any dog or dogs in respect of which he believes or has reasonable grounds to believe an offense under this by-law is being or has been committed.
- b) An Animal Control Officer, a By-Law Enforcement Officer, or any person authorized by this By-law to enforce the provisions contained herein may enter onto the land surrounding any buildings in pursuit of any dog or dogs which have running at large
- c) Any dog so impounded may be confined in an authorized pound or veterinary clinic, where it shall

remain for a period of 48 hours, after which it shall be disposed of as hereinafter set forth, unless previously redeemed.

- d) Provided that, where a dog running at large cannot be captured after reasonable diligence, the same may be destroyed by a Constable or other person authorized by Council.
- e) Impoundment Fees and Charges

Before the owner of a dog that is impounded obtains possession of the dog, he shall pay to the Summer Village of Mewatha Beach, in addition to any penalties provided herein, the following costs and fees:

- All Veterinarian fees
- All Boarding fees
- Any additional costs

Any dog not so redeemed may be sold by the poundkeeper to any person paying the fees and costs, as herein provided, and any dog not so redeemed, or sold, shall be destroyed by humane methods.

SUMMARY CONVICTION

- 6. a) A person who contravenes a provision of this By-law by doing something which he is prohibited from doing, or by failing to do something which he is required to do, or by doing something in a manner different from that in which he is required or permitted to do in this By-law, is subject to a fine of fifty dollars (\$50.00) for each offence, per dog, per incident.
- b) The levying and payment of any fine for any period provided in this By-law shall not relieve a person from the necessity of paying any fees, charges or costs from which he is liable under the provisions of this By-law.
- c) A Provincial Judge, in addition to the penalties provided in this Section may, if he considers the offence sufficiently serious, direct or order the person that owns, keeps, maintains, or harbours a dog or dogs to prevent disturbance or a nuisance complained of, or to have the animal removed from the Summer Village or to have the animal destroyed.

RABIES OR COMMUNICABLE DISEASES

7. In the event of an outbreak or a threatened outbreak of rabies, or any disease affecting dogs which may be transmitted to human beings, Council may by resolution, order and direct that all dogs shall be securely tied up by the owner or shall otherwise be effectively confined and prevented from being at large, within the Summer Village of Mewatha Beach. Any dog found at large is in contravention of this section and shall be impounded or destroyed.

8. THAT this by-law shall be effective as, on and from the date of final passing.

READ A FIRST TIME this 23rd day of October, 2009.

READ A SECOND TIME this 23rd day of October, 2009.

With the unanimous consent of all council Members present,

READ A THIRD TIME AND FINALLY PASSED the 23rd day of October, 2009.


MAYOR


MUNICIPAL ADMINISTRATOR