



## TOWN OF COCHRANE

### BYLAW 04/2016

Being a Bylaw of the Town of Cochrane, in the Province of Alberta, Canada to authorize the regulation, licensing and control of Animals in the Town of Cochrane.

**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 of Animals in the Town of Cochrane;*

**WHEREAS:** Council deems it necessary to provide for the regulation, licensing and control of animals within the Town of Cochrane;

**WHEREAS:** **Council deems it necessary to replace** the existing Animal Bylaw 16/2012.

**NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE TOWN OF COCHRANE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

#### **TITLE**

1. This Bylaw may be cited as the "Animal Bylaw".

#### **DEFINITIONS**

2.
  - (1) 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 the plural, include the singular; words in the singular include the 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 domestic dog, domestic cat and does not include Wildlife;
- (b) **“Animal Shelter”** means a facility determined by the Town for the safekeeping, and holding of impounded, or seized animals as set out within this Bylaw;
- (c) **“Attack”** means an assault by an Animal upon a person or other Animal consisting of more than one Bite and which causes injury to that person or other Animal;
- (d) **“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 that person or other Animal;
- (e) **“Cemetery”** means land within the Town and managed and controlled by the Town that is set apart or used as a place for the burial of dead human bodies or other human remains;
- (f) **“Court”** means a Court of competent jurisdiction in the Province of Alberta;
- (g) **“Former Owner”** means the person who at the time of impoundment or seizure of an Animal was the Owner of an Animal which has subsequently been sold, destroyed, or otherwise disposed of;
- (h) **“Heat”** means a recurring period of sexual receptivity in many female mammals;
- (i) **“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;
- (j) **“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;
- (k) **“Leash”** means a chain or other material capable of restraining the Animal on which it is being used;
- (l) **“Livestock”** includes, but is not limited to:
  - (i) horse, mule, ass, swine, emu, ostrich, llama, alpaca, sheep, or goat;
  - (ii) domestically reared or kept deer, reindeer, moose, elk, or bison;
- (iii) farm-bred, fur-bearing animals including foxes, and mink;
- (iv) animals of the bovine species;

- (v) animals of the avian species including chickens, turkeys, ducks, geese, or pheasants; and
- (vi) all other animals that are kept for agricultural purposes, but does not include cats, dogs, or other domesticated household pets;
- (m) **“Manager”** means the person appointed as the Manager of the Town’s Municipal Enforcement section and includes that person’s designate;
- (n) **“Muzzle”** means a device of sufficient strength placed over an Animal’s mouth to prevent it from biting;
- (o) **“Nuisance Animal”** means an Animal declared to be a Nuisance Animal by the Manager in accordance with Section 37 of this Bylaw;
- (p) **“Off-Leash Area”** means an area designated by Council, where dogs are permitted to run off leash, or designated areas where organized and controlled dog events may be held by causing signs to be posted in such areas indicating such designations;
- (q) **“Owner”** means any natural person or body corporate:
  - (i) who is the licensed Owner of the Animal; or
  - (ii) who has legal title to the Animal; or
  - (iii) who has possession or custody, or care and control of the Animal, either temporarily or permanently; or
  - (iv) who harbours the Animal, or allows the Animal to remain on his premises;
- (r) **“Peace Officer”** means a person engaged by the Town as a Community Peace Officer, a Bylaw Enforcement Officer, or a member of the Royal Canadian Mounted Police to carry out the provisions of this Bylaw;
- (s) **“Playground”** means land within the Town and controlled by the Town upon which apparatus such as swings and slides are placed;
- (t) **“Provincial Court”** means The Provincial Court of Alberta;
- (u) **“Running at Large”** means:
  - (i) an Animal which is not under the control of a person responsible by means of a Leash and is actually upon property other than the property in respect of which the Owner of the Animal has the right of occupation,

or upon a public place which has not been designated as an Off-Leash Area by Council; or

- (ii) an Animal which is under the control of a person responsible by means of a Leash and which causes damage to persons, property or other animals; .
- (v) **“School Ground”** means property within the Town owned or operated by any school district or private school;
- (w) **“Service Dog”** has the meaning as defined in the *Service Dogs 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;
- (x) **“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 similar serious injury;
- (y) **“Sports Field”** means land within the Town and controlled by the Town which is set apart and used for the playing of a sport including, but is not limited to, baseball diamonds, field hockey, cricket pitches, rugby, soccer, athletic fields, or football fields;
- (z) **“Town”** means the municipal corporation of the Town of Cochrane within the boundary thereof as the context requires;
- (aa) **“Unaltered Dog or Cat”** means a dog or cat that has not been spayed or neutered;
- (bb) **“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 a Bylaw of another municipality, or any 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
- (cc) **“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.

- (1) Nothing in this Bylaw relieves a person from complying with any requirement of any lawful permit, order, or licence.

- (2) Any heading or sub-headings in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- (3) Where this Bylaw refers to another Act, Bylaw, Regulation or Agency, it includes reference to any Act, Bylaw, Regulation or Agency that may amend or be substituted therefore.
- (4) All the Schedules attached to this Bylaw shall form a part of this Bylaw.

## **LICENSING REQUIREMENTS**

### **DOG LICENSING**

4.
  - (1) No person shall own or keep any dog within the Town unless such dog is licensed as provided in this Bylaw.
  - (2) The holder of a dog licence must be eighteen (18) years of age or older.
  - (3) The Owner of a dog shall ensure that the dog wears a current licence purchased for that dog when the dog is off the property of the Owner.
  - (4) The Owner of a dog shall obtain an annual licence for such dog at such times and in the manner as specified in Subsections 4(5) and 7(1).
  - (5) The Owner of a dog shall:
    - (a) obtain a Town licence for such dog on the first day on which the Town office is open for business after the dog becomes three (3) months of age;
    - (b) subject to the provisions of Subsection 4(5)(a) obtain a Town licence on the first day on which the Town office is open for business after becoming the Owner of the dog or locates the dog in the Town;
    - (c) obtain a Town licence for a dog notwithstanding that it is under the age of three (3) months, where the dog is found in non-compliance of this Bylaw;
    - (d) obtain a Town licence for the dog on the day specified by the Manager each year.

### **CAT LICENSING**

5.
  - (1) No person shall own or keep any cat within the Town unless such cat is licenced as provided in this Bylaw.

- (2) The holder of a cat licence must be eighteen (18) years of age or older.
- (3) The Owner of a cat shall ensure that the cat wears a current licence purchased for that cat when the cat is off the property of the Owner.
- (4) The Owner of a cat shall obtain an annual licence for such cat at such times and in the manner as specified in Subsections 5(5) and 7(1).
- (5) The Owner of a cat shall:
  - (a) obtain a Town licence for such cat on the first day on which the Town office is open for business after the cat becomes three (3) months of age;
  - (b) subject to the provisions of Subsection 5(5)(a) obtain a Town licence on the first day on which the Town office is open for business after he becomes Owner of the cat or locates the cat in the Town;
  - (c) obtain a Town licence for a cat notwithstanding that it is under the age of three (3) months, where the cat is found in non-compliance of this Bylaw;
  - (d) obtain a Town licence for the cat on the day specified by the Manager each year.

#### **VICIOUS ANIMAL LICENSING**

6.

- (1) No person shall own or keep any Vicious Animal within the Town unless such Vicious Animal is licenced as provided in this Bylaw.
- (2) The holder of a licence for a Vicious Animal must be eighteen (18) years of age or older.
- (3) The Owner of a Vicious Animal shall ensure that the Vicious Animal wears a current licence purchased for that Vicious Animal, when the Vicious Animal is off the property of the Owner.
- (4) The Owner of a Vicious Animal shall obtain an annual licence for such Vicious Animal at such times and in the manner as specified in Subsections 6(5) and 7(1) and shall pay an annual fee as set out in Schedule "A" of this Bylaw.
- (5) The Owner of a Vicious Animal shall:
  - (a) obtain a licence for such Vicious Animal on the first day on which the Town office is open for business after the Animal has been declared vicious;
  - (b) obtain a licence on the first day on which the Town office is open for business after he becomes Owner of the Vicious Animal;

- (c) obtain a licence for the Vicious Animal on the day specified by the Manager each year.

### **LICENSING INFORMATION**

- 7.
  - (1) When applying for a licence under this Bylaw, the Owner shall provide the following:
    - (a) a description of the dog, cat, Service Dog, Nuisance Animal or Vicious Animal including breed, name, gender, and age;
    - (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 cat, dog, Nuisance Animal or Vicious Animal;
    - (d) information establishing that the dog, cat, Nuisance Animal, or Vicious Animal, is spayed or neutered;
    - (e) any other information which the Manager may require; and
    - (f) the annual licence fee for each dog, cat, Nuisance Animal, or Vicious Animal, as set out in Schedule "A" of this Bylaw.
  - (2) No person shall give false information when applying for a licence pursuant to this Bylaw.
  - (3) An Owner shall forthwith notify a Peace Officer of any change with respect to any information provided in an application for a licence under this Bylaw.

### **REPLACEMENT OF LOST LICENCE**

- 8. Upon losing an Animal licence, an Owner of an Animal may obtain a licence replacement for a fee as set out in Schedule "A" of this Bylaw.

### **NON-TRANSFERABLE**

- 9. A licence issued pursuant to this Bylaw is not transferable.

### **NO REBATE**

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

### **UNCERTIFIED CHEQUES**

- 11. Where a licence required pursuant to this Section has been paid for by the tender of an uncertified cheque, the licence:
  - (1) 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

- (2) is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

## **SERVICE DOGS**

12. Notwithstanding Section 4, where a person who is disabled is the Owner of a Service Dog trained and used to assist such disabled person, if that person provides to the satisfaction of the Manager, identification that identifies the disabled person and that person's Service Dog, then there shall be no fee payable by the Owner for a licence for the Service Dog as set out in Schedule "A" of this Bylaw.

## **RESPONSIBILITIES OF OWNERS**

### **RUNNING AT LARGE**

13. The Owner of an Animal shall ensure that such Animal is not Running at Large.

### **DOGS IN OFF-LEASH AREA**

14.
  - (1) Notwithstanding Section 13, an Owner of a dog is not required to have the dog on a Leash in a Park or portion of a Park which has been designated as an Off-Leash Area by Council.
  - (2) No Owner will allow or permit more than four (4) dogs in his custody in an Off-Leash Area.
  - (3) The Owner of a dog must be physically capable of controlling and restraining all dogs in his custody in an Off-Leash Area.
  - (4) The Owner of a dog in an Off-Leash Area shall ensure that such dog is under the control of the Owner at all times.
  - (5) Whether or not a dog 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 dog was at such a distance from its Owner so as to be incapable of responding to voice, sound or sight commands;
    - (b) whether the dog was responding to voice, sound or sight commands from the Owner;
    - (c) whether the dog bit, attacked, or did any act that injured or threatened a person or another Animal;
    - (d) whether the dog caused damage to property.

- (6) The Owner of a dog that is off Leash while in an Off-Leash Area shall carry an appropriate Leash for the said dog on his person.
- (7) A Peace Officer may, upon a dog being in Heat or upon the Owner being in contravention of any provision of this Bylaw, order the Owner of an off Leash dog, in an Off-Leash Area, to:
  - (a) restrain the dog by means of a Leash; or
  - (b) remove the dog from an Off-Leash Area;or both.
- (8) An Owner who fails to comply with an order made by a Peace Officer pursuant to this section to restrain or remove a dog is guilty of an offence.
- (9) Nothing in this Section relieves a person from complying with any other provisions of this Bylaw.

#### **ANIMALS PROHIBITED IN OFF-LEASH AREAS**

15. No Owner of an Animal in Heat, Animal suffering from a communicable disease or a Vicious Animal shall permit the Animal to be in an Off-Leash Area at any time.

#### **ANIMALS IN PROHIBITED AREAS**

16.
  - (1) 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 where Animals are prohibited by posted signs.
  - (2) The Owner of an Animal shall ensure that such Animal does not enter or remain in any area which has been designated by the Manager as an area where Animals are prohibited.

#### **ANIMALS ON SCHOOL GROUNDS OR SPORTS FIELD**

17.
  - (1) The Owner of an Animal shall ensure that such Animal is not Running at Large on a Playground, tennis court, Cemetery, School Grounds or Sports Field.
  - (2) 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**

18.

- (1) 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.
- (2) The Owner of an Animal shall ensure that such Animal not be left unsupervised while tethered or tied on private property.
- (3) 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.
- (4) The Owner of an Animal shall not leave an Animal unattended in a motor vehicle if the weather conditions are not suitable for containment of an Animal in the motor vehicle and as a result thereof puts the Animal's well-being and safety at risk.

## **SECURING ANIMALS IN VEHICLES**

19.

- (1) No person shall allow an Animal to be outside of the passenger cab of a motor vehicle on a Highway, regardless of whether the motor vehicle is moving or parked.
- (2) For the purposes of this Section "motor vehicle" shall have the meaning given in the *Traffic Safety Act*, RSA 2000, c T-6, as amended or replaced from time to time.
- (3) Notwithstanding Subsection 19(1), a person may allow an Animal to be outside the passenger cab of a motor vehicle, if the Animal is:
  - (a) in a fully enclosed trailer;
  - (b) in a fully enclosed cargo area of the bed of a motor vehicle;
  - (c) contained in a ventilated kennel or similar device securely fastened to the cargo bed of the motor vehicle; or
  - (d) securely tethered in such a manner that it 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.
- (4) The owner of a motor vehicle may be charged with an offence referred to in this Section and found guilty of the offence unless the

owner of the motor vehicle satisfies the Court that the motor vehicle was:

- (a) not being driven or was not parked by the owner; and
- (b) that the person driving or parking the motor vehicle at the time of the offence did so without the owner's express or implied consent.

### **ANIMALS IN HEAT**

20.

- (1) The Owner of an Animal that is in Heat shall confine the 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.
- (2) 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 a permitted property of the Owner:
  - (a) keeps the Animal on a Leash while it is being walked off the Owner's property;
  - (b) immediately returns the Animal to the building or enclosure upon completion of the urination or defecation.
- (3) The Owner of an Animal that is in Heat shall not allow or permit said Animal to be at any location, including Off-Leash areas, where the Animal may be a source of attraction to other animals.

### **COMMUNICABLE DISEASES**

21.

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 keep the Animal in 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**

22.

- (1) If an Animal defecates on any public or private property other than the property of its Owner, the Owner shall remove such feces immediately.
- (2) 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.
- (3) The Owner of an Animal shall ensure that feces left by it 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**

23.

- (1) 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.
- (2) 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 Section of the Bylaw.

### **SCATTERING GARBAGE**

24.

- (1) The Owner of an Animal shall ensure that such Animal shall not upset any waste receptacle or scatter the contents thereof either in or about a street, lane, or other public property or in or about any premises not belonging to or in the possession of the Owner of the Animal.
- (2) The Owner of an Animal shall immediately return any such upset waste receptacle to an upright position, and remove any contents that may have been scattered in or about a street, lane, or other public property or in or about any premises not belonging to or in the possession of the Owner of the Animal.

### **THREATENING BEHAVIOURS**

25.

- (1) The Owner of an Animal shall ensure that such Animal shall 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, lunge, snarl, chase or otherwise threaten a person or persons, whether on the property of the Owner or not, unless the person chased or threatened is a trespasser on the property of the Owner;
  - (d) Bite or cause damage to property, animals, Wildlife, Livestock or other domesticated household pets, whether on the property of the Owner or not;
  - (e) do any act other than biting or attacking, that injures a person or persons whether on the property of the Owner or not;
  - (f) Bite a person or persons, whether on the property of the Owner or not, unless the person bitten is a trespasser on the property of the Owner;
  - (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 of the Owner;
  - (h) Bite or Attack a person or persons, whether on the property of the Owner or not, causing Severe Injury;
  - (i) cause Severe Injury to an Animal, Wildlife, Livestock or other domesticated household pets;
  - (j) cause death to another Animal, Wildlife, Livestock or other domesticated household pets.
- (2) 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**

26.

- (1) Unless so permitted by the Manager, no person shall allow a horse owned or controlled by him to be in a Park or on a Pathway or Highway.
- (2) Subsection 26(1) shall not apply to horses owned and ridden by the Royal Canadian Mounted Police.
- (3) Subsection 26(1) shall not apply to horses or Livestock ridden, or used in a Town-sponsored event, an approved community event or parade.
- (4) The Owner of a horse or Livestock shall remove defecation from a Highway or Pathway immediately.

27.

No person shall keep Livestock in any area of the Town except where the keeping of Livestock is allowed under The Town of Cochrane Land Use Bylaw as amended from time to time.

### **PIGEONS**

28. No person shall keep pigeons in any area of the Town for any purpose.

### **VICIOUS ANIMALS**

### **HEARINGS AND ORDERS**

29.

- (1) The Owner of an Animal alleged to be a Vicious Animal shall be provided Notice of a Hearing for determination by the Provincial Court not less than ten (10) days before the date of the Hearing.
- (2) 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.
- (3) 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, with contain and control conditions, which in the opinion of the Manager, ensures the safety of the public.
- (4) The Owner of an Animal shall comply with a surrender order made by the Manager, or any contain and control conditions prescribed by the Manager pursuant to this section.

30.

- (1) Upon hearing the evidence, the Justice shall make an order in a summary way 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.
- (2) Upon hearing the evidence, the Justice may make an order declaring the Animal 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 38;
  - (e) the circumstances surrounding any previous biting, attacking, or injuring incidents;
  - (f) whether the Animal has caused death to another Animal, Wildlife, Livestock or other domesticated household pet.
- (3) The Order of a Justice declaring an Animal vicious shall embody all of the requirements in Sections 6, 15, 30(4), 31, 32, 33, 34, 35, 36.
- (4) A Vicious Animal order pursuant to this Bylaw continues to apply if the Animal is sold, given or transferred to a new Owner.
- (5) The Owner of a Vicious or dangerous dog must immediately notify the Manager upon relocating in the Town. The Manager may take cognizance of an order issued in another jurisdiction and direct that the order apply within the Town.

## **REGULATIONS**

31.

- (1) Prior to a licence being issued, the Owner of a Vicious Animal shall within ten (10) days after the Animal has been declared vicious:
- (a) have a licensed 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) if the Vicious Animal is not spayed or neutered have the Vicious Animal spayed or neutered.

32.

- (1) The Owner of a Vicious Animal shall:
- (a) forthwith notify a Peace Officer should the Vicious Animal be sold, gifted, or transferred to another person or die; and
  - (b) remain liable for the actions of the Vicious Animal until formal notification of sale, gift or transfer is given to a Peace Officer.

33.

- (1) The Owner of a Vicious Animal shall ensure that such Vicious Animal does not engage in any threatening behaviors prohibited by Section 25 of this Bylaw.
- (2) The Owner of a Vicious Animal shall ensure that such Vicious Animal does not damage or destroy public or private property.
- (3) The Owner of a Vicious Animal shall ensure that such Vicious Animal is not Running at Large.
- (4) The Owner of a Vicious Animal shall forthwith notify a Peace Officer of the Vicious Animal Running at Large.

34.

- (1) The Owner of a Vicious Animal shall ensure that when such Vicious Animal is on the property of the Owner such Vicious Animal is:
  - (a) confined indoors and under the control of a person eighteen (18) years of age or older; or
  - (b) when such Vicious Animal is outdoors such Vicious Animal is:
    - (i) in a locked pen or other structure, constructed pursuant to Section 35 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; or
    - (ii) 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 Section 25 of this Bylaw.
- (2) 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; and
  - (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 Section 25 of this Bylaw, as well as preventing damage to public or private property; and
  - (c) under the control of a person eighteen (18) years of age or older.

35.

- (1) The Owner of a Vicious Animal shall ensure that the locked pen or other structure:
  - (a) shall have secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be embedded in the ground to a minimum depth of thirty (30) centimeters;

- (b) shall provide the Vicious Animal with shelter from the elements;
- (c) shall 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
- (d) shall not be within one (1) meter of the property line or within five (5) meters of a neighbouring dwelling unit.

36.

- (1) 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 premises warning of the presence of the Vicious Animal in the form illustrated in Schedule "F".
- (2) A sign required by Subsection 36(1) shall be placed at each entrance to the premises where the Vicious Animal is kept and on the pen or other structure in which the Vicious Animal is confined.
- (3) A sign required by Subsection 36(1) shall be posted to be clearly visible and capable of being seen by any person accessing the premises.

### **NUISANCE ANIMALS**

37.

- (1) The Manager may declare an Animal to be a Nuisance Animal;
  - (a) in declaring an Animal to be a Nuisance Animal the Manager shall have regard to Sections 13, 23 to 25 inclusive of this Bylaw and any other matter which in the opinion of the Manager is relevant, including whether the Animal has been found to be in contravention of this Bylaw more than once.
- (2) The Manager may apply such conditions on the Owner and Animal as deemed appropriate to eliminate the nuisance.
- (3) The declaration of an Animal as a Nuisance Animal shall be reviewed annually by the Manager, taking into account Subsection 37(1) and may be continued, with or without conditions, or revoked.
- (4) 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.

## **ANIMAL CONTROL OPERATIONS**

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

38.

- (1) 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 Section 25 of this Bylaw by:
  - (a) serving a notice with contain and control conditions which, in the opinion of the Manager, ensures the safety of the public.
- (2) 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.
- (3) The Owner of an Animal shall comply with all contain and control conditions set out in a notice issued by the Manager pursuant to this section.

### **AGGRESSION SCALE CLASSIFICATION**

39. 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, which is set out in Schedule "D" of this Bylaw.

### **SEIZURE**

40.

- (1) 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; or
  - (b) which is alleged to have engaged in any threatening behaviors set out in Section 25 of this Bylaw; or
  - (c) pending the outcome of an application to declare the Animal to be a Vicious Animal or to destroy the Animal; or
  - (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.
- (2) 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 threatening behavior as set out in Section 25 of 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 take such Animal to an Animal Shelter.

- (3) A Peace Officer may seize and take to an Animal Shelter any cat Running at Large with respect to which a complaint under this Bylaw has been made.

### **NOTIFICATION**

41.

- (1) 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.
- (2) A person who takes control of any stray Animal, Nuisance Animal or Vicious Animal shall forthwith surrender the Animal to a Peace Officer at the request of the Manager or a Peace Officer.

### **OBSTRUCTION AND INTERFERENCE**

42.

- (1) 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.
- (2) 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 Town of Cochrane;
  - (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.

43. Section 42 shall not apply to a Peace Officer who is attempting to seize or who has seized an Animal which is subject to seizure pursuant to this Bylaw.

### **NOTIFICATIONS**

- 44.
- (1) 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 "E" 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.
  - (2) An Owner of an Animal to whom a Notice is mailed pursuant to Subsection 44 (1) is deemed to have received a Notice within seven (7) days from the date it is mailed. A Notice served personally on 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**

- 45.
- (1) 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 Town the costs of impoundment, any care, subsistence, or veterinary charges incurred as set out in Schedule "A" of this Bylaw;
    - (b) where a licence is required under this Bylaw, obtaining the licence for such Animal, Nuisance Animal or Vicious Animal;
    - (c) complying with any and all provisions which may be imposed in accordance with this Bylaw.
46. Where an Animal, Nuisance Animal or Vicious Animal is claimed, the Owner shall provide proof of ownership of the Animal.

### **INSPECTIONS**

- 47.
- (1) Subject to the entry notice provisions of the *Municipal Government Act*, R.S.A. 2000 c.M-26, a Designated Officer of the Town, 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 the Animal to an Animal Shelter.
48. 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 pursuant to Section 47.

## **AUTHORITY OF THE MANAGER**

49.

- (1) The Manager 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, or the Owner cannot be ascertained, treat such Animals as seized Animals;
  - (e) offer for sale, euthanize, or otherwise dispose of all unclaimed Animals which have been seized or deemed to be seized.
- (2) The Manager 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 by Subsection 44 (2) 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.
- (3) 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**

50. 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 of such serious nature, based upon his professional opinion, that the Animal must be destroyed immediately and such costs of destruction may be billed to the Town, and the Town is at liberty to take all steps considered necessary to recover such costs from the Owner of the Animal.

## **REQUIRE SPAY/NEUTER**

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

## **FEE FOR EUTHANIZING**

52. When the Manager decides to euthanize a seized Animal pursuant to this Bylaw, the Owner shall pay to the Town of Cochrane a fee as set out in Schedule "A" of this Bylaw.

**FULL RIGHT AND TITLE**

53. 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 Former Owner of the Animal shall cease thereupon.

**GENERAL PENALTY PROVISIONS**

- 54.
- (1) Every Owner of an Animal who contravenes any of the provisions of this Bylaw by:
    - (a) doing any act or thing which the person is prohibited from doing; or
    - (b) failing to do any act or thing the person is required to do, is guilty of an offence.
  - (2) Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding ten thousand dollars (\$10,000.00), and in default of payment of any fine imposed, to imprisonment for not more than one (1) year.

**VIOLATION TICKETS AND PENALTIES**

- 55.
- (1) Where a Peace Officer believes that a person has contravened any provision of this Bylaw, he may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c P-34.
  - (2) Notwithstanding Subsection 55(1), a Peace Officer may issue, by personal service or regular mail, a Bylaw Ticket, in a form as approved by the Town, to any person alleged to have contravened any provision of this Bylaw.
  - (3) The penalty in lieu of prosecution payable in respect of a contravention of this Bylaw, to be indicated on any such Bylaw Ticket issued, is the amount provided for in Schedule "B" of this Bylaw.
  - (4) A person who has been issued a Bylaw Ticket in respect of a contravention of a provision of this Bylaw, and who has fully paid to the Town the penalty as indicated within the time allowed for payment, shall not be liable to prosecution for the subject contravention.
  - (5) The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "B" of this Bylaw in respect of that provision.

- (6) The minimum penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "B" of this Bylaw in respect of that provision.
- (7) Notwithstanding Subsection 55(5):
  - (a) where any person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the specified penalty payable in respect of the second offence is double the amount shown in Schedule "B" of this Bylaw in respect of that provision; and
  - (b) 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 penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule "B" of this Bylaw in respect of that provision.
- (8) Notwithstanding Subsection 55(6):
  - (a) where any person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the minimum penalty payable in respect of the second offence is double the amount shown in Schedule "B" of this Bylaw in respect of that provision; and
  - (b) 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 minimum penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule "B" of this Bylaw in respect of that provision.
- (9) Notwithstanding Subsections 55(5) and 55(7), if an Animal has been declared to be a Nuisance Animal, and where, subsequent to the declaration, any person is in contravention of any provision of this Bylaw in respect of that Animal, the specified penalty payable in respect of the offence is double the amount shown in Schedule "B" of this Bylaw in respect of that provision.
- (10) Notwithstanding Subsections 55(6) and 55(8), if an Animal has been declared to be a Nuisance Animal, and where, subsequent to the declaration, any person is in contravention of any provision of this Bylaw in respect of that Animal, the minimum penalty payable in respect of the offence is double the amount shown in Schedule "B" of this Bylaw in respect of that provision.

### **VICIOUS ANIMAL FINES**

56.

- (1) Subsections 55(2), (3), (4), (5), (6), (7), and (8) do not apply to vicious animals.

- (2) The specified penalty on summary conviction in respect to a contravention of this Bylaw with respect to vicious animals shall be the amounts as shown in Schedule "C" of this Bylaw regarding vicious animals.
- (3) The minimum fines on summary conviction in respect to a contravention of this Bylaw with respect to vicious animals shall be the amounts as shown in Schedule "C" of this Bylaw regarding vicious animals.
- (4) Notwithstanding Subsection 56(2):
  - (a) where any person has been in contravention of the same provision of this Bylaw twice within one (1) twelve (12) month period, the specified 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
  - (b) 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 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.
- (5) Notwithstanding Subsection 56(3):
  - (a) where any person has been in contravention of the same provision of this Bylaw twice within one(1) twelve (12) month period, the 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
  - (b) 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 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**

57. 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**

58. No provision of this Bylaw shall prevent any Peace Officer from issuing a violation ticket requiring the court appearance of the defendant, 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**

59. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw 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 Bylaw.

**ORDERS BY A JUSTICE**

60.

- (1) 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 mischief or causing the disturbance or nuisance complained of;
  - (b) that the Owner have the Animal removed from the Town;
  - (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
  - (f) make such 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.
- (2) 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 Section 30 of this Bylaw.

**PROOF OF LICENCE**

61.

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

**CERTIFIED COPY OF RECORDS**

62. A copy of a record of the Town, certified by the person duly appointed as the Designated Officer 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**

63. Schedules "A", "B", "C", "D", "E" and "F" as attached form a part of this Bylaw.
- 64.
- (1) Any Owner who has been informed that:
    - (a) any licence issued under this Bylaw has been revoked or cancelled; or
    - (b) the Animal has been determined to be a Nuisance Animal;
- may appeal the determination to the Manager in writing, within fourteen (14) days of being notified that the licence has been revoked or cancelled, or that the Animal has been determined to be a Nuisance Animal.
65. Within thirty (30) days of receiving a notice of appeal by an Owner pursuant to Section 64 the Manager shall review the revocation or declaration and receive such information as in the opinion of the 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 Manager shall be final.
66. No action for damages shall be taken against the Town 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.
67. It is the intention of the Council of the Town of Cochrane 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.
68. It is the intention of the Council of the Town of Cochrane that all offences created pursuant to this Bylaw be construed and considered as being Strict Liability Offences.

69. This Bylaw shall come into full force and effect upon the date of third and final reading and Bylaw 16/2012 is hereby repealed upon this Bylaw coming into effect.

Read a first time March 14, 2016  
Read a second time March 14, 2016  
Unanimous Consent March 14, 2016  
Read a third time March 14, 2016



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
Manager, Legislative Services

**SCHEDULE "A"**

**ANNUAL LICENCE FEES**

Male or female unaltered dogs	\$ 70.00
Male or female altered dogs	\$ 35.00
All unaltered dogs under the age of six (6) months at the time the licence is purchased	\$ 35.00
Vicious Animal licence fee	\$250.00
Male or female unaltered cats	\$ 40.00
Male or female altered cats	\$ 15.00
All unaltered cats under the age of six (6) months at the time the licence is purchased	\$ 15.00
Service Dog	\$0.00
Replacement tag	\$ 5.00
Nuisance Animal licence fee	\$100.00

Amount(s) to be paid to the Town of Cochrane by the Owner of the Animal in order to reclaim an Animal.

**FEES**

First impoundment	\$ 60.00
Second impoundment (within twelve (12) months)	\$ 75.00
Third impoundment (within twelve (12) months)	\$100.00
Fourth and subsequent impoundment (within twelve (12) months)	\$125.00
Care and subsistence each full day of impoundment (not including intake or release date)	\$ 15.00
Veterinary services	Amount expended
Destruction of dog or cat	Amount expended

Amount(s) to be paid to the Town of Cochrane by the Owner of the Animal in order to reclaim an Animal.

**SCHEDULE "B"**

**OFFENCE PENALTIES**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
4(1)	Unlicenced dog	\$150.00	\$200.00
4(3)	Dog not wearing licence	\$100.00	\$150.00
5(1)	Unlicenced cat	\$150.00	\$200.00
5(3)	Cat not wearing licence	\$100.00	\$150.00
7(2)	Give false information when applying for licence	\$250.00	\$500.00
13	Animal Running at large	\$100.00	\$200.00
14(2)	More than four (4) dogs in Off-Leash Area	\$100.00	\$200.00
14(3)	Not physically capable of controlling and restraining all dogs in custody	\$100.00	\$200.00
14(4)	Dog not under control in an Off-Leash Area	\$100.00	\$200.00
14(6)	Fail to carry a leash in Off-Leash Area	\$100.00	\$150.00
14(8)	Fail to restrain/remove dog from Off-Leash Area	\$200.00	\$350.00
15	Prohibited Animal in Off-Leash Area	\$200.00	\$250.00
16	Animal in prohibited area	\$200.00	\$300.00
17(1)	Animal Running at Large in Playground/tennis court/ Cemetery/School Grounds/Sports Field	\$200.00	\$300.00
17(2)	Fail to remove Animal feces from Playground/tennis court/ Cemetery/School Grounds/Sports Field	\$300.00	\$400.00
18(1)	Leave Animal unattended while tethered in a public place	\$100.00	\$150.00
18(2)	Leave Animal unsupervised while tethered on private property	\$150.00	\$300.00
18(3)	Animal left unattended in vehicle improperly	\$100.00	\$150.00
18(4)	Animal left unattended in vehicle when weather conditions not suitable	\$200.00	\$500.00
19(1)	Animal outside cab of vehicle	\$200.00	\$500.00
20	Allow Animal in heat to be a source of attraction/ not confined properly	\$100.00	\$150.00
21	Fail to report suspected case of Communicable Disease	\$250.00	\$500.00
22(1)	Fail to remove Animal feces	\$200.00	\$300.00

**SCHEDULE "B" Cont'd.**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
22(2)	No suitable means to remove feces	\$100.00	\$150.00
22(3)	Allow defecation to accumulate to extent to annoy or pose health risk	\$300.00	\$500.00
23(1)	Animal disturbing the peace	\$200.00	\$300.00
24	Animal scatter garbage	\$100.00	\$150.00
25(1)(a)	Bark/chase Animals, Wildlife, Livestock or other domesticated household pets	\$200.00	\$300.00
25(1)(b)	Bark /chase bicycles or vehicles	\$100.00	\$200.00
25(1)(c)	Chase or threaten a person	\$300.00	\$400.00
25(1)(d)	Bite or cause damage to property, Animal, Wildlife, Livestock or other domesticated household pet,	\$250.00	\$350.00
25(1)(e)	Animal injure a person	\$300.00	\$500.00
25(1)(f)	Animal Bite a person	\$400.00	\$700.00
25(1)(g)	Animal Attack a person	\$800.00	\$1,400.00
25(1)(h)	Animal Bite or Attack a person causing Severe Injury	\$1200.00	\$2,000.00
25(1)(i)	Cause Severe Injury to Animal, Wildlife, Livestock or other domesticated household pet	\$500.00	\$800.00
25(1)(j)	Cause death to Animal, Wildlife, Livestock or other domesticated household pet	\$800.00	\$1,200.00
25(2)	Direct Animal to attack, chase, harass, threaten a person, Animal, Wildlife, Livestock or other domesticated household pet	\$350.00	\$450.00
26(1)	Horse in prohibited area	\$200.00	\$250.00
26(4)	Failure to remove defecation	\$200.00	\$300.00
27	Keep Livestock in prohibited area	\$200.00	\$250.00
28	Keep Pigeons in Town	\$200.00	\$250.00
29(4)	Fail to comply with Manager's order	\$1,000.00	\$1,500.00
37(4)	Fail to obey Nuisance Animal conditions	\$400.00	\$650.00
38(3)	Fail to obey contain and control conditions	\$400.00	\$650.00
41	Fail to notify/surrender stray Animal to Peace Officer	\$100.00	\$150.00
42(1)(a)	Obstruct or interfere with Peace Officer seizure	\$500.00	\$750.00
42(1)(b)	Open vehicle in which seized Animals have been placed	\$100.00	\$500.00
42(1)(c)	Remove or attempt to remove seized Animal	\$100.00	\$500.00

**SCHEDULE "B" Cont'd.**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
42(2)(a)	Untie/loosen/ or free restrained Animal	\$100.00	\$500.00
42(2)(b)	Open gate/door/or opening allowing Animal to Run at Large	\$100.00	\$500.00
42(2)(c)	Entice an Animal to Run at Large	\$100.00	\$500.00
42(2)(d)	Tease an Animal in an enclosure	\$100.00	\$500.00
42(2)(e)	Throw or poke at Animal in an enclosure	\$100.00	\$500.00
42(2)(f)	Obstruct Peace Officer	\$500.00	\$1,000.00

**SCHEDULE "C"****VICIOUS ANIMAL OFFENCE PENALTIES**

<b>SECTION</b>	<b>OFFENCE</b>	<b>MINIMUM PENALTY</b>	<b>SPECIFIED PENALTY</b>
6(1)	Unlicensed Vicious Animal	\$1,000.00	\$1,500.00
6(3)	Vicious Animal not wearing licence	\$500.00	\$650.00
15	Vicious Animal in Off-Leash Area	\$1,000.00	\$1,500.00
31(1)(a)	Fail to tattoo or implant Vicious Animal with microchip	\$250.00	\$500.00
31(1)(c)	Fail to have Vicious Animal spayed or neutered	\$250.00	\$500.00
32(1)(a)	Fail to notify Peace Officer of sale, gift, transfer or death of Vicious Animal	\$250.00	\$500.00
33(1)	Vicious Animal conduct any threatening behaviour	\$1,500.00	\$3,000.00
33(2)	Vicious Animal damage or destroy property	\$1,000.00	\$1,500.00
33(3)	Vicious Animal Running at Large	\$1,000.00	\$1,500.00
33(4)	Fail to notify Peace Officer of Vicious Animal Running at Large	\$250.00	\$500.00
34(1)(a)	Fail to keep Vicious Animal confined indoors and under control of a person 18 years of age or older	\$1,000.00	\$1,500.00
34(1)(b)	Fail to keep Vicious Animal confined	\$1,000.00	\$1,500.00
34(2)(a)	Fail to keep a Vicious Animal muzzled	\$1,000.00	\$1,500.00
34(2)(b)	Fail to keep a Vicious Animal harnessed or Leashed properly	\$1,000.00	\$1,500.00
34(2)(c)	Vicious Animal not under the control of a person 18 years of age or older	\$1,000.00	\$1,500.00
35	Improper pen or structure for Vicious Animal	\$1,000.00	\$1,500.00
36	Fail to post Vicious Animal sign	\$1,000.00	\$1,500.00

## SCHEDULE "D"

### DR. IAN DUNBAR'S AGGRESSION SCALE

<b>ASSESSMENT OF THE SEVERITY OF BITING PROBLEMS BASED ON AN OBJECTIVE EVALUATION OF WOUND PATHOLOGY</b>	
<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"

# NOTICE OF ANIMAL SEIZURE

## Town of Cochrane *MUNICIPAL ENFORCEMENT*

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

DESCRIPTION OF ANIMAL: \_\_\_\_\_

\_\_\_\_\_

You are hereby notified that an Animal registered under the above address, was impounded on \_\_\_\_\_, \_\_\_\_\_ pursuant to the provisions of the Town of Cochrane Animal Bylaw 04/2016.

Unless the said Animal is claimed and all charges are paid on or before \_\_\_\_\_, \_\_\_\_\_, the said Animal will be sold, destroyed or otherwise disposed of pursuant to the said Bylaw.

**Contact a Peace Officer at  
403-851-2532**

Peace Officer: \_\_\_\_\_

**SCHEDULE "F"**

**VICIOUS ANIMAL SIGN**

Required for a Vicious Animal pursuant to the Bylaw.

**WARNING!**

**VICIOUS**

**ANIMAL**

**ON**

**PREMISES**

**Town of Cochrane**  
**Bylaw 04/2016**

