



**VILLAGE OF CONSORT
BYLAW NO. A-808**

**Being a Bylaw to regulate and control Dogs and Domestic Animals within
the Village of Consort.**

WHEREAS, the Council deems it expedient to license dogs in the Village of Consort, and

WHEREAS, the Council wishes to control the running at large of dogs in the Village of Consort, and

WHEREAS, the Council wishes to regulate and control domestic animals, and

WHEREAS, under Section 164 of the Municipal Government Act the Council has the authority to pass such a by law.

NOW THEREFORE, the Council of the Village of Consort, in the Province of Alberta, duly assembled enacts as follows:

1. Short Title

This Bylaw may be called the "Animal Control Bylaw."

Part 1 – Purpose and Definitions

2. Purpose

The purpose of this Bylaw is to regulate and control Dogs and Dog ownership within the Village of Consort.

3. Definitions

"Aggressive Dog" means any Dog that:

- a. has displayed Threatening Behavior toward another domestic animal or a person;
- b. has attacked, bitten, or injured another domestic animal or a person; and in the opinion of the Animal Control Officer, presents a threat of harm to other domestic animals or a person; or
- c. has been made the subject of an order under the *Dangerous Dog Act*.

"Altered" means spayed or neutered by a qualified professional.

"Animal Control Officer" means the person acting in the position of Animal Control Officer for The Village of Consort or a person designated to act on his behalf.

"Assistance Dog" means any professionally trained Dog, including guide, hearing, and service Dogs, that work in partnership with disabled people to increase their independence, safety, and mobility.

"Dog" means any domesticated dog and, unless otherwise specified, shall include any Dog designated as an Aggressive Dog for the purposes of this Bylaw.

"Dog Tag" means the annual tag issued by The Village to an Owner for each licensed Dog.

"Kennel" means premises intended or used for the overnight keeping or harboring of more than three Dogs at the same time but does not include premises used for the sale of Dogs as permitted under The Village of Consort Land Use Bylaw or premises operated by a veterinary surgeon used solely for the care and treatment of animals.

"Off-Leash Area" means an area designated by The Village where a Dog, excluding an Aggressive Dog, is not required to be controlled by a Permitted Leash.

"Owner" includes any person or group of people:

1. named as owner on a Dog Tag;
2. in actual or apparent possession or control of a Dog; or
3. in actual or apparent possession or control of the property where a Dog appears to reside.

"Park or Parkland" includes all lands used for picnic grounds, campgrounds, playgrounds, playing fields, or any other public open space, including all bicycle and hiking trails, beaches, swimming pools, wading pools, and all lakes, rivers and other water bodies within the control and jurisdiction of The Village, whether located within the boundaries of the Village of Consort or not, and whether or not the custody, care, management, or control of such areas or facilities has been delegated to another body or agency, and regardless of whether all members of the public have the right of access thereto.

"Permitted Leash" means a leash that is less than two meters in length and made of material capable of restraining the Dog on which it is being used.

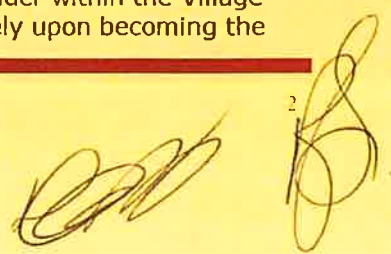
"Running at Large" means any Dog that:

1. is off the premises of the Owner and not under the control of a person who is capable of controlling the Dog by means of a Permitted Leash;
2. is on a leash that is longer than the permitted length of two meters; and
3. when in a designated Off-Leash Area, is not under complete sound or sight control and command of the Owner.

Part 2 – Licensing

4. Licensing Requirements for Dogs not designated Aggressive

1. The Owners of all Dogs three months of age and older within the Village shall, prior to January 1 of each year or immediately upon becoming the



Owner of a Dog, obtain a Dog Tag from the Village and upon paying In full the specified annual fee, will be issued a Dog Tag.

2. The Owner of an Assistance Dog will be issued a Dog Tag free of charge.
3. If a Dog Tag is lost or destroyed, the Owner shall obtain a replacement Dog Tag from the Village of Consort or a designate, who will issue the replacement Dog Tag upon payment of the fee prescribed.
4. A Dog Tag is valid only for the period of January 1 to December 31 in the year for which the Dog Tag is issued.
5. Dog Tags are not transferable from one Dog to another, and no refund will be made for any Dog Tag because of the death of the Dog or upon the Owner leaving the Village before the expiration of the current year.
6. The new Owner of a Dog licensed under this Bylaw for the current year shall complete a Dog Tag application form to report the change of ownership to the Village of Consort or a designate, but no fee will be charged.
7. Any person wishing to operate a Kennel must obtain a license from the Village of Consort or a designate, which may be issued upon payment of the prescribed fee, provided that the proposed Kennel first meets the requirements of all applicable laws governing Kennels, including compliance with The Village Land Use Bylaw.

5. Licensing Requirements for Aggressive Dogs

1. The Owner of an Aggressive Dog shall, within seven days after the Dog has been declared Aggressive, apply for an Aggressive Dog Tag from the Village of Consort or a designate and pay in full the specified annual fee for Aggressive Dogs.
2. Before an Aggressive Dog Tag for an Aggressive Dog is issued, the Owner of an Aggressive Dog shall:
 - a. obtain homeowner's liability insurance, including coverage for damage or personal injury caused by the Aggressive Dog, in an amount not less than \$500,000.00; and
 - b. have the Aggressive Dog tattooed or implanted with an identification microchip by a qualified professional.

6. Licensing Offences for Dogs and Aggressive Dogs

1. The Owner of a Dog is guilty of an offence if he:
 - a. fails to obtain a Dog Tag;
 - b. provides false or misleading information on a Dog Tag application; or

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- c. fails to ensure that the Dog wears a collar and Dog Tag when the Dog is off the Owner's premises.
2. Any person who operates a Kennel without first having obtained a Kennel License is guilty of an offence.
3. The Owner of an Aggressive Dog is guilty of an offence if:
 - a. he fails to obtain an Aggressive Dog Tag within 30 days of the date of the Dog Tag application;
 - b. he provides false or misleading information on an Aggressive Dog Tag application;
 - c. he fails to notify the Village of Consort should the Aggressive Dog die or be sold, gifted, or transferred to another person, and further, the Owner shall remain liable for the actions of the Aggressive Dog until written notification has been given to the Village of Consort;
 - d. he fails to ensure that the Aggressive Dog wears a collar and Aggressive Dog Tag when the Aggressive Dog is off the Owner's premises; or
 - e. he fails to successfully complete obedience training, and provide proof of same to The Village, for the Aggressive Dog within six months of the day the Dog has been declared Aggressive.

Part 3 – Nuisances and Specified Control

7. Nuisances

1. "Nuisance", for the purposes of this Bylaw, includes any use of or activity upon any property that is offensive to any person or has or may have a detrimental impact upon any person or other property in the neighborhood, and without limiting the generality of the foregoing, includes the following:
 - a. having more than three Dogs on any land classified as residential land under The Village Land Use Bylaw;
 - b. being the Owner of a Dog that barks or howls so as to disturb the peace of others;
 - c. being the Owner of a Dog that defecates on any public or private property not owned or occupied by the Owner, if the Owner fails to remove the defecation immediately;
 - d. being the Owner of a Dog that defecates on the Owner's property and allowing the defecation to accumulate to such an extent that it is reasonably likely to annoy or pose a health risk to others; and



- e. being the Owner of a Dog that destroys or damages any private or public property.
2. The Owner is guilty of an offence if he remains a Nuisance or allows, causes, or permits his Dog to remain a Nuisance.

8. Specified Control

1. "Specified Control of a Dog", for the purposes of this Bylaw, includes any measures necessary for the Owner to safely restrain, secure, or contain a Dog to prevent it from being a Nuisance or danger to other people or domestic animals and, without limiting the generality of the forgoing, includes the following:

- a. confining a female Dog in the residence of the Owner or in a licensed Kennel during the entire period it is in heat, except for allowing the Dog outside for the purpose of defecating or exercising while supervised on the premises of the Owner;
- b. ensuring the Dog is not in a Park or on any Parkland where Dogs are prohibited;
- c. exercising the Dog while not riding in a motor vehicle;
- d. carrying a Permitted Leash while exercising the Dog in a designated Off-Leash Area;
- e. ensuring the Dog is not left unattended on any public or private property to which the public has express or implied access; and
- f. ensuring the Dog is not running at Large.

2. The Owner of a Dog is guilty of an offence if he fails to maintain Specified Control of a Dog at all times.

3. "Specified Control of an Aggressive Dog", for the purposes of this Bylaw, includes any measures necessary for the Owner to safely restrain, secure, or contain an Aggressive Dog to prevent it from being a danger to other people or domestic animals and, without limiting the generality of the forgoing, includes the following:

- a. having the Aggressive Dog, at all times when the Aggressive Dog is off the property of the Owner, muzzled; under control; and on a Permitted Leash held by a person at the age of 16 years or older and who is able to control the Aggressive Dog;
- b. having the Aggressive Dog, at all times when the Aggressive Dog is on the property of the Owner:
 - i. indoors;



- ii. when outdoors, in a locked pen or other structure, including an approved fence, that:
 - a. is constructed to prevent the escape of the Aggressive Dog and capable of preventing the entry of any person not in control of the Aggressive Dog; and
 - b. in the case of a locked pen, is not within one meter of the property line or within five meters of a neighboring dwelling unit;
 - c. displaying, within 10 days after the Dog has been declared Aggressive, clear and visible signs, as specified in Schedule "C" to this Bylaw, warning of the presence of an Aggressive Dog on the Owner's premises at each entrance to the premises and on the pen or structure in which the Aggressive Dog is confined; and
 - d. ensuring the Aggressive Dog is not in a designated Off-Leash Area.
4. The Owner of an Aggressive Dog is guilty of an offence if he fails to maintain Specified Control of an Aggressive Dog at all times.
5. The Owner of an Aggressive Dog is guilty of an offence if he fails to notify the Village of Consort and the Animal Control Officer immediately if the Aggressive Dog is running at Large.

Part 4 – Threatening Behavior, Injuries, and Death

9. Threatening Behavior

1. "Threatening Behavior", for the purposes of this Bylaw, means behavior that creates a reasonable apprehension of a threat, including growling, lunging, snarling, or chasing in a menacing fashion.
- a. The Owner of a Dog is guilty of an offence if the Dog is in a designated Off-Leash Area and exhibits aggressive or Threatening Behavior toward any other domestic animal or a person and the Owner of the Dog fails to remove the Dog immediately from the Off-Leash Area.
 - b. The Owner of a Dog or Aggressive Dog is guilty of an offence if, whether on or off the Owner's property, the Dog or Aggressive Dog:
 - 1. displays Threatening Behavior toward another domestic animal or a bicycle or motor vehicle that is being operated; or
 - 2. displays Threatening Behavior toward a person, unless that person is a trespasser on the Owner's property.

10. Minor Injury



1. "Minor Injury", for the purposes of this Bylaw, means any physical injury caused by a Dog that results in bleeding, bruising, tearing of skin, or any other injury that is not life-threatening, disfiguring, or debilitating.
 - a. The Owner of a Dog or Aggressive Dog is guilty of an offence if the Dog bites, attacks, or causes Minor Injury to a person or another domestic animal.

11. Severe Injury

1. "Severe Injury", for the purposes of this Bylaw, means any physical injury caused by a Dog that results in broken bones or lacerations requiring sutures or cosmetic surgery.
 - a. The Owner of a Dog or Aggressive Dog is guilty of an offence if the Dog causes Severe Injury to a person or another domestic animal.
 - b. The Owner of a Dog or Aggressive Dog is guilty of an offence if the Dog causes death to a person or another domestic animal.

Part 5 – Aggressive Dogs

12. Aggressive Dog Designation

1. If the Animal Control Officer alleges that a Dog is an Aggressive Dog, either through personal observation or after an investigation initiated by a complaint, he shall submit to the Council of the Village of Consort, in the form specified by the Council from time to time, a statement that includes, but is not limited to, the following:
 - a. the full names, addresses, and telephone numbers of the following people:
 - b. the complainant;
 - c. the Owner of the alleged Aggressive Dog; and
 - d. any witnesses to the incident that prompted the complaint, investigation, or Aggressive Dog allegation;
 - e. a detailed description of the incident that prompted the complaint, investigation, or Aggressive Dog allegation;
 - f. the severity of the incident that prompted the complaint, investigation, or Aggressive Dog allegation; and
 - g. any previous incidents of a similar or related nature with the alleged Aggressive Dog.
2. The Animal Control Officer may declare the Dog as an Aggressive Dog if the Animal Control Officer determines the Dog has caused or is likely to



cause damage, injury, or death to another domestic animal or a person.

3. An Aggressive Dog designation continues to apply if the Aggressive Dog is sold, gifted, or transferred to a new Owner.

13. Aggressive Dog Reclassification

1. An Aggressive Dog may be determined to be no longer Aggressive if the Aggressive Dog Owner has not committed any offences under this Bylaw for a continuous period of three years.
2. Notwithstanding anything contained in Section 13(1), any Aggressive Dog may continue to be classified as such if, through evaluation by the Animal Control Officer:
 - a. the Aggressive Dog represents a continuing risk of remaining aggressive; and / or
 - b. the Owner of the Aggressive Dog commits an offence under this Bylaw.

14. Aggressive Dog Appeal Committee

1. The Owner may appeal the decision of the Animal Control Officer under 12(2) or the decision of the Animal Control Officer under 13(2) to the Council of the Village of Consort.

15. Domestic Animals

1. No person shall keep or cause or suffer to be kept any bovine, equine, Porcine, reptilian or ruminant animal within the limits of the Village of Consort, unless the property on which said animals are to be kept exceeds one acre in size and the keeping of said animals has been approved by the Council.
2. No person shall keep or cause or suffer to be kept save as hereinafter specified any chicken, turkey, goose, guinea, fowl, or poultry of any kind within the limits of the Village of Consort, unless such blrds or poultry are part of any commercial undertaking which is established with the approval of the Village of Consort.
3. The keeping of pigeons and rabbits in the Village of Consort is not permitted in numbers greater than four on residential property and provided that the pens are kept in a clean and sanitary condition. In the event that damage is proven on another's property by rabbits or pigeons, then in such event, Council may direct the person owning said pigeons or rabbits to restrain or destroy same. Special approval may be granted by Council for the keeping of rabbits or pigeons on larger parcels of land within the Village.
4. Animals in the Village for parades or exhibitions, under care and supervision of competent persons are not subject to the provisions of this

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