

bylaw.

## **Part 6 – Enforcement and Penalties**

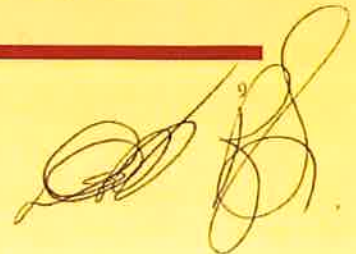
### **16. General Enforcement**

1. Any Animal Control Officer, authorized employee of the Village of Consort, or Peace Officer may seize and impound:
  - a. any Dog Running at Large;
  - b. any Dog not wearing a Dog Tag while off the premises of its Owner;
  - c. any Dog found on Parkland contrary to this Bylaw;
  - d. any female Dog In heat not confined and housed; and
  - e. any Dog that has caused a Minor Injury or Severe Injury or is alleged to have caused a Minor Injury or Severe Injury to another domestic animal or a person, pending an Aggressive Dog designation.
2. The Animal Control Officer is authorized to enter any privately owned premises, other than a dwelling house, at any reasonable time for the purposes of enforcing the provisions of this Bylaw.
3. Any person, whether or not the Owner of a Dog, is guilty of an offence if the person:
  - a. Interferes with, attempts to Interfere with, or obstructs any Animal Control Officer, authorized employee of the Village of Consort, or Peace Officer who is attempting to capture or had captured any Dog;
  - b. unlocks, unlatches, or otherwise opens or enters without permission any pen or vehicle in which Dogs captured for impoundment have been placed;
  - c. removes or attempts to remove any Dog from the possession of any Animal Control Officer, authorized employee of the Village of Consort, or Peace Officer; or
  - d. provides false or misleading information to any Animal Control Officer, authorized employee of the Village of Consort, or Peace Officer.
4. The Animal Control Officer shall arrange that the impound facility shall keep all impounded Dogs for a period of at least 72 hours, including the day of impounding but not including Sundays or statutory holidays. During this time, any healthy Dog may be redeemed by its Owner upon payment of
  - a. the appropriate Dog Tag fee if the Dog is not licensed; and any Dog Bylaw fines issued by the Animal Control Officer to the Village of

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Consort; and

- b. any kennel fees as established by the Impound facility, which shall be payable to the impound facility.
5. Any Owner attempting to redeem an impounded Dog shall present government-issued identification to the Animal Control Officer and / or the staff of the impound facility.
6. Where an impounded Dog has not been claimed or redeemed from the impound facility within the time set forth in Section 15(4), the impound facility is deemed to be the Owner of the Dog. Notwithstanding anything contained in Section 15(4), the Owner of a Dog may not redeem the Dog if the Animal Control Officer has reasonable grounds to believe and does believe that the Dog is a continued danger to people, other animals, or property.
7. The Animal Control Officer shall report any apparent illness, communicable disease, injury, or unhealthy condition of any Dog to a veterinarian and act upon his recommendation. The Owner of the Dog shall be responsible for all resulting costs and charges.

**17. Fines and Penalties**

1. Where an Animal Control Officer, authorized employee of the Village of Consort, or Peace Officer has reasonable grounds to believe that a person has contravened any provision of this Bylaw, he may serve upon the person an offence tag allowing payment of the specified penalty as set out in Schedule "B" to this Bylaw, which will be accepted by The Village in lieu of prosecution for the offence.
2. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable, on summary conviction, to a specified penalty as set out in Schedule "B" to this Bylaw and, in default of payment of any fine, to imprisonment for up to six months.
3. Any person who contravenes the same provision of this Bylaw twice within a 12 month period is guilty of a second offence and is liable, on summary conviction, to a specified penalty for a second offence as set out in Schedule "B" to this Bylaw and, in default of payment of any fine, to imprisonment for up to six months.
4. Any person who contravenes the same provision of this Bylaw three or more times within a 12 month period is guilty of a third or subsequent offence and is liable, on summary conviction, to a specified penalty for a third or subsequent offence as set out in Schedule "B" to this Bylaw and, in default of payment of any fine, to imprisonment for up to six months.
5. When a penalty is not specified under this Bylaw, a person who is guilty of an offence is liable to a fine not exceeding \$10,000.00 or to imprisonment for not more than six months for non-payment of the fine.

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6. 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 it continues. Any person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

**18. Severability**

Despite that any section or sections of this bylaw, or any part or parts thereof, may be found by any court of law to be invalid or illegal that section or sections or part or parts thereof, shall be deemed to be severable, and all other sections of this bylaw, or parts thereof, are separate and independent there-from and enacted as such.

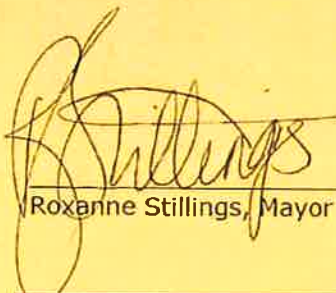
**19. General**

1. In this Bylaw, the singular may be read as though the plural were expressed and the masculine gender may be read as though the feminine or neuter were expressed, wherever the context in which this Bylaw has application so required.
2. It is the intention of the Council of The Village of Consort that each separate provision of this Bylaw will be deemed independent of all other provisions, and it is further the intention of the Council that if any provision of this Bylaw be declared invalid for any reason by a Court of competent jurisdiction, then all other provisions of this Bylaw will remain valid and enforceable.
3. Bylaw No. A754 is hereby repealed.
4. This Bylaw comes into force on the day it is passed.

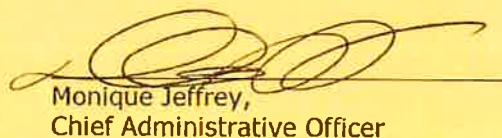
READ A FIRST TIME IN OPEN COUNCIL this 7<sup>th</sup> day of April, 2014

READ A SECOND TIME IN OPEN COUNCIL this 28<sup>th</sup> day of April, 2014

READ A THIRD TIME IN OPEN COUNCIL this 28<sup>th</sup> day of April, 2014



Roxanne Stillings, Mayor



Monique Jeffrey,  
Chief Administrative Officer

**SCHEDULE "A"**  
**LICENSE FEES**

Dog License Fee	\$10.00 per year
Aggressive Dog License Fee	\$100.00 per year
Kennel License Fee	\$500.00 per year

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**SCHEDULE "B" PENALTIES**

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>FIRST OFFENCE</b>	<b>SECOND OFFENCE</b>	<b>THIRD OFFENCE</b>
6(1)(a)	Failing to obtain Dog Tag	\$250	\$500	\$750
6(1)(b)	Providing false or misleading information on Dog Tag application	\$250	\$500	\$750
6(1)(c)	Dog not wearing Dog Tag	\$250	\$500	\$750
6(2)	Operating a Kennel without a license	\$250	\$500	\$750
6(3)(a)	Failing to obtain Aggressive Dog Tag	\$500	\$750	\$1,000
6(3)(b)	Providing false or misleading information on Aggressive Dog Tag application	\$500	\$750	\$1,000
6(3)(c)	Failing to notify Village of Consort when Aggressive Dog dies or is sold, gifted, or transferred	\$500	\$750	\$1,000
6(3)(d)	Aggressive Dog not wearing Aggressive Dog Tag	\$500	\$750	\$1,000
6(3)(e)	Failing to obtain obedience training for Aggressive Dog	\$500	\$750	\$1,000
7(2)	Permitting a Nuisance	\$250	\$500	\$750
8(2)	Failing to maintain Specified Control of a Dog	\$250	\$500	\$750
8(4)	Failing to maintain Specified Control of an Aggressive Dog	\$1,000	\$2,500	\$5,000
8(5)	Failing to notify that the Aggressive Dog is Running at Large	\$500	\$750	\$1,000
9(2)	Failing to remove a Dog exhibiting Threatening Behavior from an Off-Leash Area	\$250	\$500	\$750
9(3)(i)	Dog demonstrating Threatening Behavior toward animal, bicycle, or motor vehicle	\$250	\$500	\$750
	Aggressive Dog demonstrating Threatening Behavior toward animal, bicycle, or motor vehicle	\$500	\$750	\$1,000
9(3)(ii)	Dog demonstrating Threatening Behavior toward a person	\$500	\$750	\$1,000
15	Contravention of this section	\$250	\$500	\$750