

Note: If you would like to review Community Standards Bylaw in its entirety, [please click here](#).

Dog related: DEFINITIONS

NOTE: Throughout the Bylaw all definitions appear with the capitalization of each word, as shown below.

“Animal Material” means any excrement and includes all material accumulated on Property from pet pens or pet yards, stables, veterinary clinics, animal hospitals, kennels or feed lots.

“At Large” means a Dog or Cat that is not on a Leash, except:

- a. when the Dog or Cat is fully contained upon and within private Property with the consent of the Owner or Person in control of the Property;
- b. when the Dog is under control of the Owner or of a Competent Person and upon the Property of the Owner or within an Off Leash Area, or
- c. while the Dog is participating in an organized Dog show or competition and under the control of a Competent Person.

“Biological Waste” means the carcass and offal of an animal in whole or in part, and includes, animal or human excrement or manure.

“Competent Person” means a Person who is physically and mentally capable of restraining and controlling a Dog or a Cat to an extent that the Dog or a Cat cannot interfere with other Persons or animals or cause Damage To Property.

“Damage To Property” means Damage To Property other than the Owner’s Property, and includes Defecating or Urinating on such Property.

“Defecate” means to discharge waste matter from the bowels.

“Dog” means a domestic member of the canidae family.

“Garbage” means any household or commercial rubbish including, but not limited to, boxes, cartons, bottles, cans, containers, packaging, wrapping material, paper, cardboard, food, discarded clothing or fabric and discarded household items.

“Impound” means to take possession of and arrange for the lodging of and caring for a Dog, or a Cat, at a facility contracted to the Town for that purpose.

“Including” means that when introducing a list of items, does not limit the meaning of the words to those items or to items of a similar kind.

“Leash” means a chain or other material capable of humanely restraining a Dog, or a Cat.

“License” means a Dog or a Cat License issued by the Town to the Owner of a Dog, or a Cat.

“Noise” means sound which in the opinion of the Peace Officer, having regard for all circumstances, Including the time of day and the nature of the activity generating the sound, is likely to unreasonably annoy or disturb persons or to injure, endanger or detract from the comfort, repose, health, peace or safety of persons within the boundary of the Town.

“Off Leash Area” means an area established, by resolution of Council, as being an area where a Dog, that is under the control of a Competent Person, is permitted with such Dog being off a Leash.

“Owner” or “Owners” in respect to a Dog or a Cat means:

- a. a Person, partnership, association or corporation owning, possessing or having control over a Dog or a Cat;
- b. a Person permitting any Dog or Cat, to remain about his/her house or Premises;
- c. a Person whom a Dog or a Cat License has been issued; or
- d. a Person who collects or assumes responsibility for a Dog or a Cat that has been seized pursuant to the provisions of this Bylaw.

“Peace Officer” means:

- a. a member of the Royal Canadian Mounted Police;
- b. a Community Peace Officer appointed by the Solicitor General of Alberta; or
- c. a Bylaw Enforcement Officer employed by the Town.

“Person” means any individual, firm, partnership, association, corporation, company or society but unless the context otherwise requires, does not include the Town.

“Premises” means any land situated in whole or in part within the Town, including external surfaces of all Buildings and land immediately adjacent to any Building or Buildings and includes any land or Buildings owned or leased by the Town.

“Property” means any public or private land or Building located within the Town.

“Public Place” means any place within the Town to which the public may have either express or implied access Including, but not limited to, areas such as streets, sidewalks, pathways, trails, and any fixture or sculpture located in such area.

“Qualified Service Dog” is defined as the Service Dogs Act, RSA 2000, c. S-7.5.

“Residential Building” means a structure used as a residence containing one or more Dwelling units, including a detached and semi-detached Dwelling, multi-family Dwelling, apartment Building, lodging house, manufactured home.

“Residential District” means a district defined as such in the Land Use Bylaw.

“Residential Use” means the use of land or buildings for the purpose of a residential development such as a detached dwelling, duplex, or multiplex as defined in the Land Use Bylaw.

“Town” means the Town of Olds, a municipal corporation in the Province of Alberta and where the context so requires, means the area contained within the corporate boundaries of the Town.

“Urinate” means to discharge urine from the body.

“Vicious Dog” means a Dog that, whether on public or private Property, has:

- a. bitten, attacked, chased, injured or caused injury to a Person or other animal;
- b. threatened or created the reasonable apprehension of a threat to a Person or other animals;
- c. in the opinion of a Peace Officer, based on-observation or on the basis of facts gathered through an investigation, or which in the opinion of a Judge or Justice of the Provincial Court who has entered a conviction in respect of the Dog for a contravention of this Bylaw, presents a threat of serious harm to a Person or persons or other animals; or
- d. been declared by a Court to be a “Dangerous Dog”, or declared pursuant to a Bylaw of another municipal jurisdiction to be a Vicious Dog or otherwise a danger or threat to persons or other animals.

“Violation Tag” means a tag or similar document issued by the Town pursuant to the Municipal Government Act, R.S.A. 2000, c.M-26 as amended.

“Violation Ticket” means a ticket issued pursuant to Part II and/or Part III of the Provincial Offences Procedures Act, R.S.A. 2000.

PART SIX: DOGS AND CATS

Dog Licensing

Bylaw No. 2017-18 Amending:

- 6.1 An Owner of a Dog shall annually purchase a Dog License from the Town for each Dog owned at the annual fee as set out in the Town of Olds Rates Bylaw:
- a. on or before January 31 of the current License year;
 - b. within thirty (30) days following the Dog having attained three (3) months of age;

- c. within thirty (30) days after acquiring possession of the Dog, whichever date is the latter.

6.2 Notwithstanding section 6.1 where the Town is satisfied that a Dog is being used as a Qualified Service Dog, the Dog must be licensed and no fee will be payable.

6.3 An Owner of a Dog shall not allow the Dog to leave the Premises of the Owner unless the Dog is wearing a collar and current License tag assigned for that Dog.

6.4

Bylaw No. 2017-18 Amending:

6.5 A Dog Licence may be refused or revoked because of substantiated complaints received from at least two (2) or more Persons residing in the Town, that the permitting of a Dog License would be detrimental to other residents of the Town.

Bylaw No. 2017-18 Amending:

6.6 In the case of a refusal or revocation of a Dog License, the applicant will be given the reasons, in writing, within ten (10) days of the refusal. The revocation or refusal may be appealed pursuant to the provisions of this Bylaw.

Bylaw No. 2017-18 Amending:

6.7 No Person shall keep in a household more than six (6) Dogs of an age more than three (3) months unless that Person has obtained a valid business license from the Town.

Dog Owner Responsibilities

Bylaw No. 2017-18 Amending:

6.8 The Owner of a Dog shall:

- a. purchase an annual License;
- b. ensure that the Dog is not At Large;
- c. ensure that the Dog, when off the Owner's Property, is on a Leash and under the control of a Competent Person;
- d. restrict their Dog from defecating on any Property other than the Property of the Owner; and
- e. when the Dog Defecates on any Property other than the Property of the Owner, immediately remove all feces.

6.9 No Person shall leave a Dog inside an unattended Motor Vehicle, whether on public or private Property, unless:

- a. there is adequate ventilation and temperature control provided for the health and well-being of the Dog; and
- b. the Dog is restricted and restrained so as to prevent the Dog's escape from the Vehicle, or it's access to Persons or animals in the vicinity of the Vehicle.

6.10 The Owner of a Motor Vehicle involved in a contravention of section 6.9 of this Bylaw is guilty of an offence unless that Vehicle Owner satisfies the Court that the Vehicle was being driven or was parked by another Person that did not have the Vehicle Owner's express or implied consent to operate the Vehicle.

6.11 An Owner of a Dog shall ensure that the Dog:

- a. does not attack or bite a Person or another animal, whether on or off the Property of the Owner;
- b. does not chase or threaten a Person by lunging towards, growling, snapping at or by doing anything else that causes that Person to fear for their safety while on public or private Property, except where that Person is actually trespassing on the Property of the Dog Owner;
- c. does not chase another animal, bicycle, Motor Vehicle or other Vehicle;
- d. does not engage in any other activity that causes injury to a Person or another animal whether on the Property of the Owner or not;
- e. does not cause damage to public Property or private Property, not including the private Property owned or occupied by the Owner;
- f. does not do anything to cause Garbage retained in waste receptacles or other containers to be scattered on public or private Property;
- g. in the case of a female Dog in heat, is not kept at any location where the Dog is a source of attraction to other Dogs;
- h. does not enter a garden or floral area on public or private Property;
- i. does not enter into or upon the immediate area of a playground equipment area or a sand play area of a playground; and
- j. does not habitually or excessively bark, howl or engage in any other activity that causes Noise.

6.12 An Owner or occupant of Premises where one (1) or more Dogs are kept shall not allow the Premises to become littered with Dog feces to an extent that the Premises becomes objectionable, either visually or because of foul odours, to residents of neighbouring properties.

6.13 Through a resolution of Council, the Town may designate areas as an Off Leash Area.

Vicious Dog

6.14 A Dog may be declared by a Peace Officer to be a Vicious Dog pursuant to this Bylaw and will be licensed as such by the Town and subject to special provisions of this Bylaw pertaining to Vicious Dogs.

6.15 The Owner of a Dog declared to be a Vicious Dog pursuant to this Part shall be served with a Notice setting out the reasons therefore, the responsibilities of an Owner of a Vicious Dog pursuant to this Bylaw and the process of appeal available to the Owner of the Dog:

- a. The Owner of a Vicious Dog must be at least eighteen (18) years of age.

- b. The revocation or refusal may be appealed pursuant to the provisions of this Bylaw.
 - c. Where a Notice has been served on the Owner of a Dog declared to be a Vicious Dog, for the purposes of this Bylaw, the Dog will be deemed to be a Vicious Dog throughout any appeal proceedings unless a decision arising from an appeal is rendered that the Dog is not a Vicious Dog.
- 6.16 Within five (5) days of a Dog being declared a Vicious Dog pursuant to this Bylaw, the Owner shall:
- a. arrange to have the Dog tattooed or implanted with an electronic identification microchip by a licensed veterinarian and provide the Town with documentary proof of doing so immediately thereafter; and
 - b. license the Dog as a Vicious Dog with the Town.
- 6.17 The Owner of a Vicious Dog shall:
- a. Ensure adherence to Dog Owner responsibilities pursuant to this Part.
 - b. When selling or otherwise giving the Dog to a new Owner, fully inform the new Owner that the Dog has been declared a Vicious Dog by the Town.
 - c. Notify the Town of a change in ownership of the Dog or the death of the Dog within three (3) Business Days of the date of change in ownership or death.
 - d. When becoming a new Owner of a Dog known to be declared a Vicious Dog pursuant to this Bylaw, license the Dog with the Town within three (3) Business Days, excluding weekends and Statutory Holidays of acquiring the Dog.
 - e. Obtain an annual Vicious Dog License from the Town as required by this Bylaw.
 - f. Ensure that the Dog is wearing a collar and current License tag assigned for that Dog whenever the Dog is off the Property of the Owner.
- 6.18 When a Vicious Dog is on the Premises of the Owner, the Owner shall ensure that:
- a. the Dog is confined indoors; or
 - b. when the Dog is not confined indoors, it is confined in a locked pen or other structure that complies with the provisions of Section 6.19 of this Bylaw, and which is constructed so as to prevent the escape of the Dog and the entry of any Person not in possession or control of the Dog.
- 6.19 A locked pen or other structure required pursuant to Section 6.18 shall:
- a. be of minimum dimensions of one and one half (1.5) metres by three (3) metres, and three (3) metres in height;
 - b. have secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be embedded into the ground to a minimum depth of thirty (30) centimetres; and
 - c. not be located within one (1) metre of the Property line of the Owner of the Dog or within five (5) metres of a neighbouring residential Dwelling.
- 6.20 When a Vicious Dog is off the Property of the Owner, the Owner shall ensure that the Dog:

- a. is securely muzzled;
- b. is secured in a harness or Leash which shall not exceed one (1) metre in length and is adequate to control the Dog;
- c. is under the control of a Competent Person who is at least eighteen (18) years of age; and
- d. when the Dog is At Large, the Town is notified immediately.

Dog Impound

- 6.21 A Peace Officer may capture and Impound any Dog which is not adequately confined or restrained so as to prevent it from being At Large.
- 6.22 A Peace Officer may enter onto the land surrounding any Building for the purpose of impounding a Dog on private or public Property.
- 6.23 A Peace Officer may use any humane method, including, but not limited to, the use of capture devices or tranquilizer equipment to capture a Dog that is subject to impoundment.
- 6.24 An impounded Dog may be reclaimed by or on behalf of the Owner after payment is first made to the Town during normal office hours for:
- a. any required Dog License fee;
 - b. other fees as set out in the Town of Olds Rates Bylaw relating to the Dog's capture, impoundment, care and subsistence; and
 - c. costs paid directly to a veterinary clinic for any required veterinary services provided while impounded.
- 6.25 An impounded Dog will be retained for a minimum of three (3) Business Days where the identity of the Owner is not determined within that time, or a minimum of five (5) Business Days where the identity of the Owner is known and the Dog is not claimed within that time by the Owner by either taking possession of the Dog or by making arrangements through the Town for further retention of the Dog.
- 6.26 A Peace Officer may retain a Dog for a longer period than provided in section 6.25 of this Bylaw, if it is determined that the circumstances warrant the extension. The decision to allow such an extension is at the discretion of the Peace Officer and all additional expenses are the responsibility of the Owner.
- 6.28 An impounded Dog that is not claimed within the applicable time period and in accordance with the provisions this Bylaw, may be disposed of under the authorization of a Peace Officer by:
- a. adopting the Dog out; or
 - b. euthanization by a qualified veterinarian when the Peace Officer is satisfied, through consultation with a qualified veterinarian, that the Dog is ill or injured to

an extent that medical treatment is not practical, and under the circumstances, such measure is appropriate for humane purposes.

When an impounded Dog is disposed of in accordance with section 6.28 of this Bylaw, the owner of the Dog at the time of impoundment shall cease to have any right or title to the Dog. If the Dog is adopted, the ownership shall transfer to the Person(s) adopting the Dog.

When in the judgement of a licensed veterinarian, a Dog should be euthanized for humane reasons; such Dog may not be redeemed by the owner of the Dog at the time of impoundment.

6.29 In the case of a Dog that is obviously in extreme distress due to injury, a Peace Officer may perform, or cause to be performed, euthanization in a humane manner without consultation with a qualified veterinarian when such consultation cannot be done in a timely manner.

6.30 The regulation of Dogs in this Bylaw shall not apply to Special Event activities under the Town of Olds Special Events Bylaw.

Interference with a Dog

6.31 No Person shall:

- a. untie, loosen or otherwise free a Dog which has been tied up or otherwise restrained, or willfully or negligently open a gate, door or other opening in a fence, pen or other enclosure in which a Dog has been confined and thereby allow the Dog to be At Large; or
- b. abuse, tease, torment or annoy a Dog.

PART SEVEN: OFFENCES AND ENFORCEMENT

A Person who contravenes any provision of this Bylaw is guilty of an offence.

- (i) A Person who is guilty of an offence is liable to a fine in an amount not less than that established in this Bylaw, and not exceeding \$10,000, and it imprisonment for not more than six (6) months for non-payment of a fine, and
- (ii) Without restricting the generality of subsection (i) the fine amount established are as set out in Schedule 'A'.

Powers of the Chief Administrative Officer (CAO)

- 7.1 Without restricting any other power, duty or function granted by this Bylaw, the CAO may:
- a. carry out any inspections to determine compliance with this Bylaw;
 - b. take any steps or carry out any actions required to enforce this Bylaw;
 - c. take any steps or carry out any actions required to remedy a contravention of this Bylaw;
 - d. establish investigation and enforcement procedures with respect to residential, commercial, industrial or other types of Property and such procedures may differ depending on the type of Property in question;

- e. establish areas where activities restricted by this Bylaw are permitted;
- f. establish forms for the purposes of this Bylaw;
- g. issue permits with such terms and conditions as are deemed appropriate;
- h. establish the criteria to be met for a permit pursuant to this Bylaw; and
- i. delegate any powers, duties or functions under this Bylaw to an employee of the Town.

Enforcement

- 7.2 A Person to whom a permit or License has been issued pursuant to this Bylaw and any Person carrying out an activity otherwise regulated, restricted or prohibited by this Bylaw pursuant to such permit or License, shall comply with any terms or conditions forming part of the permit or License.
- 7.3 A Person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit or License pursuant to this Bylaw.
- 7.4 The onus of proving a permit or License has been issued in relation to any activity otherwise regulated, restricted or prohibited by this Bylaw is on the Person alleging the existence of such a permit or License on a balance of probabilities.
- 7.5 A Peace Officer is hereby authorized and empowered to issue a Notice, Violation Tag, or Ticket to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw. The Peace Officer may commence proceedings against such Person by:
- a. issuing the Person a Violation Ticket pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act;
 - b. swearing out an Information and complaint against the Person; or
 - c. in lieu of prosecution, issuing the Person a Bylaw Violation Tag.
- 7.6 Where a Peace Officer issues a Person a Notice, Violation Tag, or Ticket in accordance of this Bylaw, the Officer may either:
- a. allow the Person to pay the specified penalty indicating such specified penalty on the Violation Tag or Ticket; or
 - b. require a Court appearance of the Person where the Peace Officer believes that such appearance is in the public interest, pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act.
- 7.7 Where a Bylaw Violation Tag issued to a Person is not paid within fourteen (14) days of the date of issue, the Peace Officer may proceed by way of prosecution in accordance with section 7.6 of this Bylaw.
- 7.8 No provision of this Bylaw nor any action taken pursuant to any provision of this Bylaw shall restrict, limit, prevent or preclude the Town from pursuing any other remedy in relation to a

Premises, Property or Person provided by the Municipal Government Act, or any other law of the Province of Alberta.

Appeal

- 7.9 The Owner of a Dog that is declared a Vicious Dog pursuant to section 6.14 of this Bylaw may by written notice request the Chief Administrative Officer to review the decision within fourteen (14) days after the date the decision was Communicated to the Person or Owner respectively. After reviewing the decision, the Chief Administrative Officer may confirm, vary, substitute, or cancel the decision.

PART EIGHT: GENERAL PROVISIONS

Severability

If any provision of these bylaws shall be held invalid or unenforceable, the invalidity or unenforceability shall attach only to that provision and shall not in any manner affect or render invalid or unenforceable any other provision, and these bylaws shall be interpreted and enforced as if the invalid or unenforceable provision were not contained herein.

Community Standards Bylaw 2015-08 & Amendment Bylaw 2017-18 2019-01

CONSOLIDATED TO JANUARY 14, 2019

Dog related matters only
