

**BY-LAW 2-2007
OF THE
TOWN OF VERMILION
(hereinafter referred to as the “Municipality”)**

**BEING A BY-LAW OF THE TOWN OF VERMILION
IN THE PROVINCE OF ALBERTA TO PROVIDE FOR
THE LICENSING REGULATION AND CONTROL OF
ANIMALS IN THE CORPORATE LIMITS OF THE
TOWN OF VERMILION**

WHEREAS pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time, authorizes the Council of the Town of Vermilion to pass Bylaws for the licensing and regulating the control of animals in the Town.

AND WHEREAS the Council of the Town of Vermilion deems it to be in the best interest of the residents of the Town to regulate and control the running at large of Dogs and Cats in the Town.

AND WHEREAS the Council of the Town of Vermilion deems it to be in the best interest of the residents of the Town to license Dogs, Cats, and other Domestic Animals in the Town.

AND WHEREAS the Council of the Town of Vermilion deems it to be in the best interest of the residents of the Town to regulate and control activities for the keeping of Domestic Animals in the Town.

NOW THEREFORE, the Municipal Council for the Town of Vermilion in the Province of Alberta, Duly assembled and pursuant to the authority conferred upon it by the Municipal Government Act, hereby enacts as follows:

TITLE

1. This Bylaw may be cited as “The Vermilion Animal Control Bylaw”.

DEFINITIONS

2. In this Bylaw unless the context otherwise requires:
 - (1) “Capture” shall mean with the use of devices or cage traps so as to limit the harm or distress.
 - (2) “Cat” shall mean a Domestic Animal of the Felidae family.
 - (3) “Cattery” shall mean any place owned by any person, group of persons, or corporation engaged in the commercial business of breeding, buying, selling, training, or boarding of Cats.
 - (4) “Controlled Dog” shall mean any Dog, whatever its age or breed, that, in the opinion of the Municipal Enforcement Officer or designate:
 - a) shows a propensity, disposition, or potential to attack or injure without provocation, other animals or humans;
 - b) without provocation, chases in a threatening matter any person or animal that approaches it;

animals c) is a continuing threat of serious harm to other or humans; or

Any dog that has been the subject of an order or direction of a Justice pursuant to the *Dangerous Dogs Act*, R.S.A. 2000, c. D-3, as amended or repealed and replaced from time to time.

- (5) “Dog” shall mean a Domestic Animal of the Canidae family.
- (6) “Domestic Animal” shall mean an animal of species of vertebrates or invertebrates that has been domesticated by man so as to live and breed in a tame condition and depends on man for survival and includes dogs, cats, horses, pigs, sheep, llamas, rabbits, chickens, geese, turkeys, pigeons, and any fur-bearing animals commonly raised for commercial purposes.
- (7) “Junior License” shall mean a license issued for a Dog or a Cat under the age of six (6) months.
- (8) “Kennel” shall mean any place owned by any person, group of persons, or corporation engaged in the commercial business of breeding, buying, selling, training, or boarding of Dogs.
- (9) “Land Use Bylaw” shall mean the Town’s Land Use Bylaw No. 1-2006, as amended or repealed and replaced from time to time.
- (10) “Licence Tag” shall mean identification tag of metal or other material issued by the Town showing the license number and year of a specific animal.
- (11) “Livestock” shall mean Cattle or Horses, and such other animals as may be listed in **Schedule “C”** to this Bylaw, as revised by Resolution of Council from time to time.
- (12) “Municipal Enforcement Officer” shall mean a member of the Royal Canadian Mounted Police, a member of a municipal police service, a Special Constable appointed by the Town of Vermilion pursuant to the provisions of the *Police Act*, R.S.A. 2000, c.P-17, as amended or repealed and replaced from time to time, a Peace Officer appointed pursuant to the *Peace Officer Act*, R.S.A. 2000, c.P-3.5 as amended or replaced and replaced from time to time, or a Bylaw Enforcement Officer appointed by the Town pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time.
- (13) “Owner” shall mean a Person:
 - a) who has the care, charge, custody, possession, or control of a Domestic Animal;
 - b) who owns or claims a proprietary interest in a Domestic Animal;
 - c) who harbours or permits a Domestic Animal to be present on any property owned or under his control;

- d) who claims and _____ receives a Domestic Animal from custody of the Pound or a Municipal Enforcement Officer; or
 - e) to whom a Licence Tag was issued for a Dog or Cat in accordance with this Bylaw.
- (14) “Person” shall include a partnership or corporation.
- (15) “Physical Control” shall mean:
- a) restrained by a leash not exceeding three (3) metres in length; or
 - b) kept in:
 - (i) a container;
 - (ii) an enclosure; or
 - (iii) a motor vehicle;
 - (iv) the back of an open truck if restrained by a leash not allowing the dog to be removed from the open truck.
- (16) “Possession” shall mean a Person who:
- a) has Physical Control of a Domestic Animal;
 - b) has transferred Physical Control of a Domestic Animal to another person for the purpose of allowing that person to exercise control over that Domestic Animal for a period of time; or
 - c) where one or two or more persons, with the knowledge and consent of the other, or others, has Physical Control of a Domestic Animal, the Domestic Animal shall be deemed to be in the control of each and all of them.
- (17) “Pound” shall mean such a place as may, from time to time, be established for the impounding and keeping of Domestic Animals in accordance with the provisions of this Bylaw.
- (18) “Poundkeeper” shall mean any person or persons duly authorized to operate a Pound and may include a Municipal Enforcement Officer.
- (19) “Private Property” shall mean all property within the boundaries of the Town other than property constituting Public Property.
- (20) “Public Property” shall mean property owned by or under the control and management of the Government of Canada, the Government of Alberta, or the Town, contained within the boundaries of the Town.
- (21) “Registered Veterinarian” shall mean a Registered Veterinarian as defined in the *Veterinary Profession Act*, R.S.A. 2000, c. V-2, as amended or repealed and replaced from time to time.

- (22) "Running at Large" shall mean any Dog or other Domestic Animal found off the property of its Owner, which is not on a leash and not under the Physical Control of a responsible and competent Person.
- (23) "Secure Enclosure" shall mean a building, cage, fenced area, or other enclosure for the retaining of a Domestic Animal and which prohibits the Domestic Animal from jumping, climbing, digging, flying, or using any other means to exit the enclosure and which is capable of prohibiting the entry of young children into the enclosure.
- (24) "Town" shall mean the Town of Vermilion in the Province of Alberta.
- (25) "Town Council" shall mean the municipal council of the Town of Vermilion in the Province of Alberta.
- (26) "Town Manager" shall mean the Chief Administrative Officer for the Town, regardless of the specific title that may be conferred on that Officer by Town Council from time to time.
- (27) "Violation Tag" shall mean a tag or similar document issued by the Town pursuant to the provisions of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time.
- (28) "Violation Ticket" shall mean a ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, C. P-34, as amended or repealed and replaced from time to time, and any Regulations thereunder.
3. Words importing the masculine gender only also include the feminine gender where the context requires.
4. Words importing the singular only also include the plural and vice versa where the context requires.

GENERAL PROVISIONS AND LICENSING OF DOGS AND CATS

5. (1) The Owner of a Dog or Cat over six (6) months of age shall obtain a license for that Dog or Cat by submitting a written application and paying the applicable license fee as set out in **Schedule "A"** to this Bylaw, within Fifteen (15) days of becoming the Owner of such Dog or Cat, or of taking up residence within the Town, as applicable;
- (2) Where the Owner of a Dog or Cat over the age of six (6) months of age becomes the Owner of that Dog or Cat or becomes resident within the Town between July 1st and December 31st in any year, the license fee required pursuant to subsection 5(1) shall be Fifty (50%) percent of the annual fee established in **Schedule "A"**;
- (3) Dog and Cat licenses issued under this Bylaw are annually renewable and the Owner of a Dog or Cat required to be licensed pursuant to this Bylaw shall before January 15th in each year, renew the applicable license by completing the appropriate renewal form and paying a renewal fee as established in **Schedule "A"** to this Bylaw;

- (4) Any person who fails to license a Dog or Cat pursuant to this Bylaw or fails to renew a license previously issued before January 15th in any year, is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule “B”** of this Bylaw.
6.
 - (1) Notwithstanding Section 5 the Owner of Controlled Dog, regardless of the Dog’s age, shall obtain a license and pay the applicable license fee for a Controlled Dog as set out in **Schedule “A”** of this Bylaw.
 - (2) The Owner of a Controlled Dog who fails to apply for a license for the Controlled Dog pursuant to this Bylaw is guilty of an offence and upon summary conviction, liable to a fine as provided in **Schedule “B”** to this Bylaw.
7. Notwithstanding Section 5, the Owner of a Dog or Cat under the age of six (6) months old may obtain a Junior Licence for that Dog or Cat by written application to the Town providing such information as may be required.
8.
 - (1) Every Owner shall ensure that the License Tag is securely fastened to a chain, collar or harness worn by the Dog or Cat at all times when such Dog or Cat is not on the Owner’s property.
 - (2) An Owner whose Dog or Cat is not wearing a License Tag while off the Owner’s property shall be guilty of an offence and liable to a fine as provided in **Schedule “B”** of this Bylaw.
9. Licenses issued pursuant to this Bylaw shall not be transferable between animals, nor transferable between successive Owners of a particular animal.
10. No Person shall be entitled to a rebate as a result of the sale, death, or removal of a registered Dog or Cat from the physical jurisdiction of the Town, of the license fee paid in respect to that Dog or Cat.
11. Lost or damaged License Tags may be replaced by the Town upon payment by the Owner of the replacement fee set out in **Schedule “A”** of this Bylaw.
12. An Owner of a Dog, Controlled Dog, or Cat shall provide the following information with each application for a license:
 - (1) name, phone number, and street or rural address of Owner;
 - (2) name and description of the Dog, Controlled Dog, or Cat to be licensed;
 - (3) with respect to a Dog or Controlled Dog, the breed or breeds; and
 - (4) such other information as may be required by the Town.

13. Guide Dogs and assistance Dogs shall be licensed pursuant to this Bylaw however, no license fee shall be required where the Owner of the Dog presents the Dog's identification card verifying that the Dog has been trained by a recognized school as an assistance Dog or meets the guide Dog qualifications as set out in the *Guide Dog Qualifications Regulations* AR 108/79, as amended or repealed and replaced from time to time.
14. The following persons do not require a license under this Part:
- (1) holders of a valid Development Permit, issued pursuant to the Land Use Bylaw, authorizing the operation of a Kennel, Cattery, Animal Hospital, or Pound, which have Dogs or Cats boarded that are owned by Persons other than the operator, or have Dogs or Cats which are intended for sale;
 - (2) Persons temporarily visiting the Town for a period not exceeding fourteen (14) days;
 - (3) not-for-profit associations or not-for-profit corporations engaged in the provision of temporary shelters for abandoned or rescued Domestic Animals or an authorized Pound in accordance with this Bylaw; or
 - (4) not for profit associations, not-for-profit corporations or government organizations providing specialized Dog services, including but not limited to assistant and guide Dogs, police Dogs and search and rescue Dogs.

NUMBER OF DOGS AND CATS

15. No more than three (3) Dogs and three (3) Cats shall be harboured or permitted to remain upon or in any land, house, shelter, room or place, building structure, or premises within the boundaries of the Town unless:
- (1) the premises are lawfully used for the care and treatment of Domestic Animals operated by or under the charge of a Registered Veterinarian;
 - (2) the Owner is the holder of a valid and subsisting Development Permit to operate a Kennel, Cattery, Animal Hospital, Pound, or other Domestic Animal operation as authorized by the Land Use Bylaw;
 - (3) the Dogs or Cats in excess of the limit are under six (6) months of age, and the offspring of a licenced Dog or Cat residing at the same location;
 - (4) the Owner is a not-for-profit association, not-for-profit corporation, or government organization engaged in the provision of specialized Dog services, including but not limited to Guide Dogs, Police Dogs, and Search and Rescue Dogs; or
 - (5) the Owner is a not-for-profit association or not-for-profit corporation engaged in the providing of temporary shelter for abandoned or rescued Domestic Animals or an authorized Pound in accordance with this Bylaw.
16. Any Person who keeps, harbours, or permits an excess number of Dogs or Cats shall be guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule "B"** of this Bylaw.

CONTROL OF DOGS AND CATS

17. Subject to a development permit pursuant to the Land Use Bylaw, no Kennel or Cattery shall be permitted on residential property within the Town.
18. An Owner whose Dog Runs at Large within the boundaries of the Town is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule “B”** of this Bylaw.
19.
 - (1) The Owner of a Dog or Cat that causes damage to Public or Private Property within the Town is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule “B”** of this Bylaw;
 - (2) Where a Dog or Cat has defecated on any Public or Private Property within the Town other than the property of the Owner, the Owner shall be required to remove such defecation immediately and failure to do so shall constitute as an offence and liable, upon summary conviction, to a fine as provided in **Schedule “B”** of this Bylaw;
 - (3) The Owner of a Dog or Cat that allows any defecated matter to remain on the Owner’s property or to accumulate to such an extent as to, in the opinion of a Municipal Enforcement Officer, constitute a nuisance by way of odour, unsightliness, or detrimental impact on the use, enjoyment or value of neighbouring property, is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule “B”** of this Bylaw;
20.
 - (1) The Owner of a Dog that barks, howls, or otherwise makes such noise so as, in the opinion of a Municipal Enforcement Officer, disturb the quiet or repose of any Person, is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule “B”** of this Bylaw;
 - (2) The Owner of a Cat that makes such noise so as, in the opinion of a Municipal Enforcement Officer, disturb the quiet or repose of any Person, is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule “B”** of this Bylaw.
21. The Owner of a Dog or Cat that
 - (1) bites, attacks, threatens, or injures any Person;
 - (2) chases a Motor Vehicle, bicycle, person on horseback, or Person walking or running;
 - (3) kills, attacks, injures, or otherwise harasses Livestock, poultry, wildlife or other Domestic Animals;

is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule “B”** of this Bylaw.
22. The Owner of a female Dog or Cat in “heat” shall be guilty of an offence if that female Dog or Cat is not kept contained or restrained, both on and off the Owner’s property, in a manner sufficient to avoid attracting other Dogs or Cats and liable, upon summary conviction, to a fine as provided in **Schedule “B”** of this Bylaw.
23. Any Person who, without the knowledge or consent of the Owner, unties, loosens, or otherwise frees a Dog or Cat that was tied or

otherwise restrained, or who opens a gate, door, or other opening in a fence or Secure Enclosure in which a Dog or Cat has been confined and thereby allows the Dog or Cat to Run at Large, is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule “B”** of this Bylaw.

SPECIAL PROVISIONS FOR CONTROLLED DOGS

24. The Municipal Enforcement Officer may declare a Dog to be a Controlled Dog, where he has reasonable grounds to believe that, either through personal observation, or on the basis of facts determined after an investigation of a complaint, the Dog:
- (1) has a known propensity, tendency, or disposition in a threatening manner and without provocation to chase, run at, attack, or bite any person or animal causing physical injury;
 - (2) has in a threatening manner and without provocation chased, run at, attacked, or bitten any person or animal on more than one occasion, with or without causing physical injury;
 - (3) has killed a Domestic Animal, Livestock or wildlife without provocation while off the owner’s property; or
 - (4) has been the subject of an order or direction of a Justice, pursuant to the *Dangerous Dogs Act*, as amended or repealed and replaced from time to time.
25. If a Municipal Enforcement Officer determines that a Dog is a Controlled Dog pursuant to section 24, he shall in writing:
- (1) inform the Owner that his Dog has been determined to be a Controlled Dog;
 - (2) require the Owner to keep such Dog in accordance with the provisions relating to Controlled Dogs as set out in this Bylaw; and
 - (3) inform the Owner that if the Controlled Dog is not kept in accordance with the provisions relating to Controlled Dogs as set out in this Bylaw, the Owner will be fined, or subject to enforcement action pursuant to this Bylaw.
26. If a Dog is designated a “Controlled Dog” by a Municipal Enforcement Officer, the owner of that Dog has the right to request the designation be reviewed by Council. The request must be received by the Town Manager in writing within thirty (30) days of the official notice of designation.
27. (1) An Owner of a Controlled Dog shall maintain in force a policy of liability insurance in a form satisfactory to the Town providing third party liability coverage in a minimum amount of \$500,000.00 for injuries caused by the Owner’s Controlled Dog and no license shall be issued for a Controlled Dog unless proof of such insurance coverage is provided to the Town with any application for a license.
- (2) The liability policy shall contain a provision requiring the insurer to immediately notify the Town in writing should the policy expire or be cancelled or terminated.
 - (3) Where the policy of liability insurance for a Controlled Dog is cancelled or expires without renewal, the Controlled Dog license for the animal to which the liability insurance policy

applied shall also terminate and no new Controlled Dog license shall be issued until proof of insurance has been provided pursuant to subsection (1).

- (4) The Owner of a Controlled Dog who fails to obtain and maintain in force a liability insurance policy as required under subsection (1) is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule "B"** of this Bylaw.
28. (1) At all times while a Controlled Dog is on the property of its Owner, the Owner shall either keep such Dog confined indoors or if outside in a Secure Enclosure or other structure approved by the Municipal Enforcement Officer, constructed to prevent the escape of the Controlled Dog and capable of preventing the entry of young children.
- (2) Secured Enclosures 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 one (1) foot.
 - (3) When a Controlled Dog is off the premises of the Owner, the Owner shall securely muzzle the Controlled Dog, and the Owner shall maintain Physical Control over the Controlled Dog through use of a lease, harness, or other retainer or device so as to prevent the Controlled Dog from attacking or biting any other Person or animal.
 - (4) Subsection (3) shall not apply when the Controlled Dog is in a building or enclosure in attendance at a bona fide Dog show.
 - (5) An Owner who fails to comply with the provisions of section 28(1) or (3) is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule "B"** of this Bylaw.
29. In addition to the remedies set forth in this Bylaw, if a Municipal Enforcement Officer determines that a Controlled Dog is not being kept in accordance with this Bylaw he may:
- (1) issue an order pursuant section 545 of the *Municipal Government Act*, RSA 2000 c.M-26, as amended or repealed and replaced from time to time, directing that the Dog shall be controlled in accordance with the Bylaw, or be removed from the physical boundaries of the Town; or
 - (2) in the alternative, or in addition to the issuance of an Order under subsection (1), bring an application pursuant to the *Dangerous Dogs Act*, RSA 2000 c.D-3, as amended or repealed and replaced from time to time, for an order directing that the Dog to be controlled or destroyed.

CONTROL OF OTHER ANIMALS

30. The keeping of Domestic Animals, Livestock and any other animals in the Town is strictly prohibited except in accordance with the provisions of the Town's Land Use Bylaw or as herein provided.
- (1) No Person shall keep any of the following on any premises within the Town;
 - a) livestock;

- b) large Domestic Animals other than Dogs, weighing over 10 kg;
 - c) bees;
 - d) poultry; or
 - e) poisonous snakes, reptiles, or insects unless permission has been granted by the Municipal Enforcement Officer.
- (2) Subsections (1)(a), (1)(b), (1)(c), and (1)(d) shall not apply to any premises within the Town where the keeping of such animals has been the subject to authority issued under the Town's Land Use Bylaw.
- (3) Subsection 1(a) shall not apply to the land owned and operated by Lakeland College zoned as Institutional in the Town of Vermilion Land Use Bylaw for the purpose of operations of the Lakeland College farm.

Pigeons:

31. (1) Except as otherwise provided in this Bylaw, no Person shall keep pigeons without first having been granted a pigeon license by the Town.
- (2) Subsection (1) shall not apply where the number of pigeons kept on the premises does not exceed four (4) in number.
- (3) No Person shall keep more than seventy-five (75) pigeons at any single premise within the Town.
- (4) The Owner of pigeons numbering in excess of four (4) shall apply for a pigeon license prior to acquiring the pigeons, or within fifteen (15) days of the coming into force of this Bylaw, or of moving into the jurisdiction of the Town, if those pigeons are already in that Person's possession, and shall thereafter, annually renew the pigeon license on or before January 15th by submitting the appropriate license or renewal fee and such information as may be required by the Municipal Enforcement Officer from time to time.
- (5) Any Persons who fails to hold or renew a pigeon license shall be guilty of an offense and liable upon summary conviction, to a fine as set out in **Schedule "B"** of this Bylaw.
- (6) No Person shall be entitled to a rebate on any paid license issued as a result of sale or death of the pigeons, or the owner leaving the Town prior to the expiration of the license year.
- (7) Any person keeping pigeons in excess of four (4) pursuant to this Bylaw, shall keep those pigeons in a locked Secure Enclosure which shall be kept in a clean and sanitary condition and is dry, airy, and bright inside with proper ventilation having regard to the number of pigeons and the Secure Enclosure shall not be placed closer than twelve (12) metres from any dwelling on the property, nor closer than twelve (12) metres from any adjacent property.
- (8) A Secure Enclosure shall be kept in a reasonable state of repair, cleaned regularly of all excrement and refuse, and disinfected a minimum of twice annually, all to the satisfaction of a Municipal Enforcement Officer.

- (9) A pigeon license shall be posted on the Secure Enclosure in a visible manner for inspection and license verification.
- (10) No Owner shall permit his pigeons to be outside the Secure Enclosure, except:
 - a) for the purpose of supervised exercise or for the purpose of returning to Secure Enclosure from a supervised race or training flight, which shall not exceed three hours within a twenty-four (24) hour period; or
 - (b) in a flock of any more than twenty (20) pigeons at one time.

Rabbits:

- (11) No Person shall keep more than four (4) rabbits on the Premises within the Town.
 - (12) The Owner of rabbits shall keep those rabbits in a locked, Secure Enclosure which shall be kept in a clean and sanitary condition and which shall be situated no closer than twelve (12) metres from any dwelling on the property, nor any closer than twelve (12) metres from any adjacent dwelling.
 - (13) Any Person who fails to comply with Section 31(1) to 31(12) of this Bylaw is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule "B"** of this Bylaw.
32. An Owner may keep Livestock within the boundaries of the Town so long as it is in compliance with the Town's Land Use Bylaw or the Livestock is boarded at an approved livery.
33. A Municipal Enforcement Officer may impound any Domestic Animal or Livestock found within the Town Running at Large or is otherwise in contravention of this Bylaw.

POUNDS AND POUNDKEEPERS

34. Council may establish one or more Pounds for keeping impounded Dogs, Cats and Domestic Animals and where Council has established a Pound, the Council shall set out the rules and regulations, not inconsistent with this Bylaw, pertaining to the conduct of the Poundkeeper and the administration of the approved Pound.
35. (1) The Poundkeeper shall keep all Dogs and Cats impounded for a period of at least seventy-two (72) hours including the day of impounding. Sundays, statutory holidays, and days that the Pound is not open shall not be included in the computation of the seventy-two (72) hour period.
- (2) Where a Dog or Cat that has been impounded bears obvious identification tattoos, brands, marks, tags or licenses, the Dog or Cat shall be kept by the Pound for a minimum of seventy two (72) hours from the day that the Dog or Cat has been impounded and all reasonable steps are taken by the Municipal Enforcement Officer to locate the Owner during that time.
- (3) During this period, any healthy Dog or Cat may be redeemed by its Owner upon the Owner paying to the Poundkeeper

impoundment fees for every twenty-four (24) hour period, or portion thereof, that the Dog or Cat has been impounded, any veterinarian costs for the treatment of the Dog or Cat, and where the Dog or Cat is required to be licensed and is not licensed, the appropriate license fee.

- (4) At the expiration of the time period in subsection (1) or (2) any impounded Dog or Cat that has not been redeemed may be sold, given away, or euthanized in a humane manner.
 - (5) If the Owner of an impounded Dog or Cat is known but refuses to redeem the Dog or Cat, the Owner shall nevertheless be liable for the cost of impounding, maintaining, or euthanizing the Dog or Cat and such costs shall be recovered by the Town as a debt owing to the Town.
36. When any other Domestic Animal or Livestock, other than Dogs or Cats, is impounded, the Poundkeeper, or Municipal Enforcement Officer, shall immediately after the impounding and before any sale thereof:
- (1) post in his office a notice describing the Domestic Animal or Livestock that was impounded, including the estimated age, sex, colour, and brand or other mark of identification and that he intends to sell the Domestic Animal or Livestock at a public auction to be held on the day stated therein; and
 - (2) mail a copy of the notice described in subsection (1) to the person believed to be the Owner of the Domestic Animal or Livestock.
37. (1) The Poundkeeper shall retain all impounded Domestic Animals or Livestock, other than Dogs or Cats, for a period of seven (7) days including the day of mailing of the notice referred to in Section 37. Sundays, Statutory Holidays, and days that the Pound is not open shall not be included in the computation of the seven (7) day period.
- (2) During this period, any healthy impounded Domestic Animal or Livestock, other than Dogs or Cats, may be redeemed by its Owner upon the Owner paying to the Poundkeeper impoundment fees for every twenty-four (24) hour period or portion thereof that the impounded Domestic Animal or Livestock has been impounded, any veterinarian costs for the treatment of the Domestic Animal or Livestock, and where the impounded Domestic Animal is required to be registered and is not registered, the appropriate license fee.
38. On the date fixed in the notice described in Section 37 the Domestic Animal or Livestock, other than Dogs or Cats, described therein shall, unless redeemed, be sold at public auction and the proceeds of such sale, after paying the cost of impounding, maintaining and selling the Domestic Animal or Livestock, shall be paid by the Town of Vermilion:

- (1) to the former Owner of the Domestic Animal or Livestock, other than Dogs or Cats, if he files with the Town of Vermilion within thirty (30) days of the sale a statutory declaration stating that he was the Owner of the Domestic Animal or Livestock sold; or
- (2) to the Town on the expiration of thirty (30) days from the date of the sale, if the former Owner of the Domestic Animal or Livestock, other than Dogs or Cats, does not file a statutory declaration describing in subsection (1) hereof within the time mentioned therein.

AUTHORITY OF MUNICIPAL ENFORCEMENT OFFICERS AND ENFORCEMENT GENERALLY

39. A Municipal Enforcement Officer is hereby authorized to enforce the provisions of this Bylaw.
40. A Municipal Enforcement Officer is authorized to capture and impound all Dogs, Cats, other Domestic Animals or Livestock found Running at Large and to impound and deliver any Dog, Cat, other Domestic Animal or Livestock which he finds wounded, distressed, abandoned, or diseased to a Registered Veterinarian and once treated to a Pound.
41. Any person who interferes with, hinders, delays, obstructs, prohibits, or otherwise impedes any Municipal Enforcement Officer or other municipal official or employee, in the performance of that Officer, official or employee's duties under this Bylaw is guilty of an offence and liable, upon summary conviction, to a fine as provided in **Schedule "B"** of this Bylaw.
42.
 - (1) The Municipal Enforcement Officer is authorized to enter upon any Private or Public Property in pursuit of a Dog, Cat, other Domestic Animal or Livestock Running at Large and take such reasonable measures as are necessary to subdue and capture any Dog, Cat, Domestic Animal or Livestock, including the use of cage traps and tranquillizer equipment.
 - (2) The authority of a Municipal Enforcement Officer under subsection (1) shall not extend to entering into any structure in use as a private residence, unless the Municipal Enforcement Officer has first received the consent of the owner or occupant to enter the structure.
43. A Municipal Enforcement Officer is hereby authorized and empowered to issue a Violation Tag to any Person who the Municipal Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
44. A Violation Tag may be issued to such Person either:
 - (1) personally;
 - (2) posted upon the door of the Owner or the Person accused;
 - (3) by registered mail of a copy to such Owner or Person at his or her last-known post office address; or
 - (4) left with a competent person who resides with the Owner or the Person alleged to have committed such offence.

45. A Violation Tag issued pursuant to this Bylaw shall be in a form approved by the Town and shall state:
- (1) the name of the Owner or Person accused;
 - (2) the offence;
 - (3) the appropriate penalty for the offence as specified in **Schedule “B”** of this Bylaw;
 - (4) the time period in which the specified penalty must be paid in order to avoid prosecution for the alleged offence; and
 - (5) any other information as may be required by the Town.
46. Where a Violation Tag has been issued pursuant to this Bylaw, the Person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Violation Tag.
47. In those cases where a Violation Tag has been issued, and if the penalty is not paid within the prescribed time period, a Municipal Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, as amended or repealed and replaced from time to time, to any Person whom the Municipal Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
48. Notwithstanding Section 47 of or anything in this Bylaw, a Municipal Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, as amended or repealed and replaced from time to time, to any Person whom the Municipal Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
49. Where a Violation Ticket has been issued to a person pursuant to this Bylaw, that Person may plead guilty to the offence by submitting to a Clerk of the Provincial Court, the specified penalty set out on the Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.
50. Except as otherwise provided in this Bylaw, a Person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided, is liable, upon summary conviction, to a fine of not more than Five Hundred (\$500.00) Dollars.
51. Where a Municipal Enforcement Officer or other designated officer of the Town has issued an Order pursuant to section 545 of the *Municipal Government Act*, RSA 2000 c.M-26, as amended, repealed and replaced from time to time, for the purpose of enforcing any provision of this Bylaw, any Person to whom the Order has been issued, who fails to comply with the terms and conditions of that Order within the time frame provided, shall be guilty of an offence and shall be liable, upon summary conviction, to a penalty as set out at **Schedule “B”** of this Bylaw.

GENERAL

52. No action shall be taken against any Person acting under the authority of this Bylaw for damages for destruction or other disposal of any Domestic Animal or Livestock.

SCHEDULE "A"**Annual License Fees**

Section	Description	Amount Per Year
5	Each Un-neutered or Un-spayed Dog or Cat which is over six (6) months of age	\$50.00
7	Junior License - Each Un-neutered or Un-spayed Dog or Cat which is under six (6) months of age	\$ Nil
*5	Each Neutered or Spayed Dog or Cat which is over six (6) months of age for which an Owner has supplied a Veterinarian's Certificate certifying that such Dog or Cat has been neutered or spayed, as the case may be	\$ 20.00
6	Each Controlled Dog	\$250.00
11	Issuance of replacement License Tag	\$ 10.00
31(4)	Annual License Fee for Pigeons in numbers greater than four (4)	\$ 50.00

- * The Veterinarian's Certificate need only be supplied at the time an Owner makes his first application for a license for such Dog or Cat. A copy of the Veterinarian's Certificate will be kept on file by the Town for the purpose of issuing a license for such Dog or Cat in subsequent years.

**SCHEDULE “B”
Penalties**

Section	Description	First Offence Amount	Second and Subsequent Offence Amount
5(4)	Failure to obtain Licence, Failure to renew license by January 15 th	\$ 100.00	\$ 150.00
6(2)	Failure to obtain Licence, Failure to renew license by January 15 th - <i>Controlled Dog</i>	\$ 200.00	\$ 300.00
8(2)	Failure to ensure that a license tag is worn by Dog or Cat when required	\$ 50.00	\$ 80.00
16	Keeping, harbouring, suffering or permitting an excess number of Dogs or Cats	\$ 150.00	\$ 300.00
18	Allowing a Dog to Run at Large	\$ 50.00	\$ 100.00
	<i>Allowing a Controlled Dog to Run at Large</i>	\$ 1,000.00	\$ 1,500.00
19(1), 19(2), 19(3)	Permitting a Dog or Cat to damage Public, or Private Property, defecate on property other than the Owner’s and fail to remove, or allow defecated matter to accumulate or remain and create nuisance.	\$ 50.00	\$ 100.00
	<i>Controlled Dog</i>	\$ 200.00	\$ 500.00
20(1), 20(2)	Dog or Cat disturbs the quiet or repose of any person	\$ 75.00	\$ 125.00
	<i>Controlled Dog</i>	\$ 200.00	\$ 500.00
21	A Dog or Cat that		
	(1) bites, attacks, threatens any person	\$ 200.00	\$ 350.00
	<i>Controlled Dog</i>	\$ 1,000.00	\$ 1,500.00
	(2) chase motor vehicles, bicycles, horseback or person walking or running	\$ 200.00	\$ 350.00
	<i>Controlled Dog</i>	\$ 1,000.00	\$ 1,500.00
	(3) kills, attacks, injuries or otherwise harasses Livestock, poultry, wildlife or other Domestic Animals	\$ 150.00	\$ 300.00
	<i>Controlled Dog</i>	\$ 1,000.00	\$ 1,500.00
22	Failure to contain or restrain Dog or Cat in heat	\$ 100.00	\$ 200.00
23	Release of Dog or Cat that was tied or otherwise restrained, without permission of Owner	\$ 50.00	\$ 100.00
27 (4)	Failure to obtain, keep in force, a liability insurance policy for a Controlled Dog	\$ 500.00	\$ 750.00
28(5)	Failure to comply with Controlled Dog provisions	\$ 500.00	\$1,000.00
31(5)	Failure to obtain, or renew, pigeon license	\$ 100.00	\$ 150.00
31 (13)	Failure to keep and contain pigeons or rabbits in accordance with the Bylaw	\$ 150.00	\$ 250.00
41	Interference with Municipal Enforcement Officer, municipal official or employee	\$ 500.00	\$ 750.00

SCHEDULE "C"

LIVESTOCK SHALL INCLUDE:

1. Cattle
2. Horses
3. Sheep
4. Goats
5. Pigs
6. Llamas
7. Chickens
8. Geese
9. Turkeys