



**BYLAW NO. 2009-873  
OF THE  
TOWN OF TWO HILLS**

**A BYLAW OF THE TOWN OF TWO HILLS, IN THE PROVINCE OF ALBERTA,  
TO AMEND THE “ANIMAL CONTROL BYLAW” NO. 2004-821  
OF THE TOWN OF TWO HILLS**

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**WHEREAS** Bylaw No. 2009-873 being the Animal Control Bylaw regulates and controls domesticated animals in the corporate limits of the Town of Two Hills;

**AND WHEREAS** the Council of the Town of Two Hills wishes to restrain and regulate the running at large of dogs and cats in the Town of Two Hills,

**AND WHEREAS** the Council of the Town of Two Hills deems it expedient to license dogs and cats in the Town of Two Hills;

**AND WHEREAS** the Council of the Town of Two Hills wishes to regulate the keeping of domestic animals, poultry and bees;

**AND WHEREAS** the Council of the Municipal Government Act RSA 2000, Chapter M-26, Section 7 (h), authorizes the Council of the Town of Two Hills to pass such a bylaw;

**NOW THEREFORE**, the Council of the Town of Two Hills in duly assembled open meeting enacts as follows:

**TITLE**

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

**DEFINITIONS**

2. in the bylaw,



- (a) “Animal Control Officer” shall mean any person or persons duly authorized by the Town of Two Hills to enforce the provisions of this bylaw, including, but not limited to, the pound keeper;
- (b) “Animal Shelter” shall mean the premises designated by the Town for the purpose of impounding and caring for all dogs, cats, and domestic animals found running at large within the limits of the Town;
- (c) “Town” shall mean the Municipal Corporation of the Town of Two Hills;
- (d) “Running at Large” shall mean any dog, cat or domestic animal that is off the property of its owner or harbourer and is not on a leash and under the effective control of a responsible person. The phrase “at large”, when used in this bylaw, shall be synonymous with “running at large”;
- (e) “Cat” shall mean any member of the species Felis catus or Felis domesticus (Felidae);
- (f) “Dog” shall mean any member of the species Canidae;
- (g) “Domestic animal” shall mean such animals that have been domesticated for agricultural use and for resale and/or for purposes of providing food;
- (h) “Owner” shall mean a person or group of persons, partnership or association, who has legal title to the dog, cat or domestic animal, and includes any person who has possession or custody or harbours the dog, cat or domestic animal on his premises, either temporarily or permanently.
- (i) “Peace Officer” shall mean:
  - i. a member of the Royal Canadian Mounted Police or
  - ii. a special constable or bylaw enforcement officer employed by the Town of Two Hills
- (j) “Town Council” shall mean the duly elected Town Council for the Municipal Corporation of the Town of Two Hills;
- (k) “Kennel License” shall mean such license issued to a person who owns more than two (2) cats and two (2) dogs, whether the owner breeds the animals or not;
- (l) “Communicable Disease” shall mean such diseases that can be passed from dog, cat or domestic animal to a human being or to other dogs, cats or domestic animals and shall include but not be limited to distemper, rabies, parvo and parainfluenza;
- (m) “S.P.C.A.” shall mean the Society for the Prevention of Cruelty to Animals in the Province of Alberta;
- (n) “Vicious Dog” shall mean any dog which:
  - i shows a propensity, disposition or potential to attack, or injure, without provocation, humans, or other animals,
  - ii is a continuing threat of serious harm to humans or other animals,
  - iii without provocation, chases any person in a threatening manner,



- iv has inflicted a serious wound upon a human or upon a domestic animal without provocation,
- v is deemed to be dangerous by justice under the provisions of the *Dangerous Dogs Act* RSA 2000, Chapter D-3 and amendments thereto,
- vi is owned or harboured for the purpose of dog fighting,
- vii is a guard dog; however

A dog shall not be deemed vicious if it bites, attacks or menaces a trespasser on the property of its owner or harms or menaces anyone who has tormented or abused it.

## LICENSING

3.

- (a) Any person owning, or harbouring or possessing a dog or cat over the age of six (6) months within the Town of Two Hills shall be liable to pay a license fee for the dog or cat as set out in the attached Schedule "A".
- (b) The license shall be valid only for the year issued and shall be due on or before the 31<sup>st</sup> day of January of each year, or on any day during the year when the animal comes to six (6) months of age or into the possession of a resident of Two Hills and is kept within the Town limits.
- (c) Dog or cat licenses may be obtained at the Town Office, which, upon receipt of payment of the license fee, shall issue to the owner a tag for each dog or cat licensed.
- (d) The license tag shall be attached to a collar on the dog or cat to be worn at all times when the animal is in public. The license shall be deemed invalid if not worn by the animal.
- (e) No refund or rebate shall be made on any paid license fee.
- (f) The license issuer for the Town shall keep record of the following data:
  - i. Name and address of owner,
  - ii. Breed, colour, sex and name of owner's dog or cat,
  - iii. Date of registration of owner's dog(s) or cat(s),
  - iv. Number stamped on each license tag issued to owner, and
  - v. Amount of license fee paid by owner.
- (g) A license shall be issued free of charge annually to the owners of dogs trained by a recognized agency to provide assistance to a person with a physical impairment if the owner used the dog for such assistance.
- (h) Where a license is lost, a replacement may be obtained at the Town Office upon payment of the license tag replacement fee as set out in Schedule "A".
- (i) Dog licenses are not required by persons temporarily in Town for a period not



exceeding two (2) weeks.

- (j) No person may own or harbour more than two (2) dogs and two (2) cats older than six (6) months at any one time unless a kennel license is approved by the animal control officer. Obtaining a kennel license relieves the owner from having to pay for individual licenses for each animal owned or harboured. However, the owner must still obtain a tag from the town for each animal owned or harboured and inform the animal control officer of any changes if and when they occur.

## **RESPONSIBILITY PROVISIONS**

- 4. It shall be the responsibility of all owners of dogs, cats or domestic animals to ensure that:
  - (a) their dog, cat or domestic animal is not permitted to run at large;
  - (b) their dog, cat or domestic animal is not permitted to howl, bark excessively or in any other manner disturb the quiet of any person(s). Any person(s) so aggrieved may provide a witness statement and swear out a statement charging the owner with a breach of this bylaw.
  
- 5.
  - (a) The owner or person in care or control of an animal shall ensure that the animal does not become a public nuisance by:
    - i. Biting or chasing a person or persons;
    - ii. Biting, barking at or chasing livestock, bicycles, automobiles or other vehicles;
    - iii. Causing damage to property or other animals, or causing the death of any other animal;
    - iv. Keeping a female which is in season at any location where the dog or cat is a source of attraction to other dogs or cats;
    - v. Or allowing a vicious dog to run at large.
  
  - (b) An owner whose animal defecates on property other than his own or vacant undeveloped Town owned property shall remove immediately any defecated matter deposited.
  - (c) The owner of any property where an animal is kept shall maintain such property at all times in a clean, sanitary and inoffensive condition.
  - (d) No dog, cat or domestic animal suffering from a communicable disease shall be allowed to come into contact with animals or humans in a public place other than the owner's property or a veterinarian. The owner of a diseased animal shall ensure that it is locked up securely.



- (e) The owner shall confine within a building or secure enclosure every fierce, dangerous or vicious dog and not take the dog out of the building or secure enclosure unless the dog is securely muzzled and leashed.
- (f) Any dog that bites a person shall be promptly reported to the animal control officer and may then be quarantined at the direction of the animal control officer. The dog shall not get released from the quarantine or destroyed except by written permission of a veterinarian. At the discretion of the animal control officer, the quarantine may be on the premises of the owner or in the Town animal shelter.
- (g) Upon demand made by the animal control officer or peace officer, the owner shall immediately surrender any dog that has bitten a human, or that is suspected of having been exposed to rabies, for supervised quarantine (for a period not exceeding fourteen (14) days) which expense shall be borne by the owner. The dog may be reclaimed by the owner, if judged free of rabies, on payment of the confinement expenses and on compliance with the licensing provision of this bylaw.

6. No person shall:

- (a) hinder, delay or obstruct any person or persons employed by the Town engaged in taking to the pound any dog, cat or domestic animal liable to be impounded under the provisions of this bylaw;
- (b) remove or attempt to remove any dog, cat or domestic animal from the possession of the animal control officer or a peace officer or any other person authorized to enforce any of the provisions of this bylaw;
- (c) unlock, unlatch or otherwise open the pound van or vehicle in which animals have been placed for impoundment, allowing the dogs, cats or domestic animals to escape capture;
- (d) induce or persuade any dog, cat or domestic animal to enter a house or other place where it may be safe from capture by the animal control office or other authorized person(s), or otherwise assist any dog, cat or domestic animal to escape capture;
- (e) Negligent or willfully open any gate, door or other opening in a fence or enclosure in which a dog, cat or domestic animal has been confined, or otherwise obstruct any dog, cat or domestic animal's confinement, thereby allowing the animal to run at large;
- (f) Tease, torment or annoy a dog, cat or domestic animal or deliberately or willfully and with malicious intent injure, hurt or otherwise harm any animal;
- (g) Operate a kennel in any residential district in the Town. Kennel requirements are subject to the Town of Two Hills Land Use Bylaw No. 97-757;
- (h) Lead, ride or drive livestock on any sidewalk, boulevard, street or parkland in the Town. Council may issue special permission for request made regarding parades or other special events;
- (i) Have, maintain, raise or feed domestic animals, including bees, pigs, cows, horses, pigeons and poultry, in the Town.



## IMPOUNDMENT

7.

- (a) It shall be the responsibility of Council to establish, make provisions for or enter into an agreement to provide an animal shelter for the impounding and keeping of dogs, cats and other domestic animals captured, as the Council and the Alberta S.P.C.A. shall approve of. Council is authorized and empowered to make any and all such rules and regulations not inconsistent with this bylaw and the rules and regulations of the S.P.C.A., as both the Council and the S.P.C.A. shall consider necessary for the conduct and regulations of such pounds. The Council shall appoint a pound keeper or such person(s) as they deem necessary to carry out the provisions of this bylaw.
- (b) It shall be the duty of the animal control officer or a person(s) authorized or appointed by the Council to capture or trap, in a humane trap, all dogs, cats and domestic animals found running at large within the limits of the Town contrary to the provisions of this bylaw. The dog, cat or domestic animal shall be impounded to the specified animal shelter and shall be kept there subject to the owner's or harbourer's right to redeem the animal within ten (10) days from the time of capture. The dogs, cats or domestic animals shall not be released from the pound unless the owner or harbourer can present, to the satisfaction of the pound keeper, that the specified pound fees have been paid and the necessary clearance from the animal control officer, a peace officer or the Town's Chief Administrative Office or their designate has been obtained.
- (c) It shall be the duty of the animal control officer, upon complaint, to set humane traps for the capture of cats running at large. Said traps will be set only during the scheduled work hours of the animal control officer, and checked twice per seven and a half (7.5) hour shift. It shall also be the duty of the animal control officer to ensure that the captured animal is either taken to the animal shelter or is released at the edge of the property where it was caught.
- (d) Each dog, cat or domestic animal impounded under the provisions of this bylaw shall be subject to impounding fees as set out in attached Schedule "A". If the dog, cat or domestic animal is unclaimed within ten (10) days from the time of capture, the dog, cat or domestic animal shall be destroyed in a humane manner or otherwise disposed of through sale or gift.
- (e) It shall be the duty of the animal control officer, to the best of their abilities, to ascertain the name of the owner of any impounded dog, cat or domestic animal. The Animal control officer shall inform the owner of the impoundment as soon as practically possible.
- (f) It shall be the duty of the animal control officer to report any apparent illness, communicable disease, injury, unhealthy condition or otherwise distressful signs exhibited by any dog, cat or domestic animal to a veterinarian or the S.P.C.A. The owner or former owner, if known, shall be held responsible for all charges resulting from any veterinarian examination, action or extended retention to the animal in question.



## CONVICTIONS AND PENALTIES

- 8.
- (a) A person is a party to and guilty of an offence who:
    - i. actually commits the offence, or
    - ii. does or omits an act for the purpose of aiding or abetting a person to commit an offence, or
    - iii. counsels or procures a person to commit an offence.
  - (b) Any person who contravenes any provision of this bylaw is guilty of an offence and is liable on summary conviction to a fine as set out in Schedule “A” of this bylaw.
  - (c) The animal control officer is hereby authorized and empowered to issue a violation notice, form or infraction ticket to any person who contravenes any provision of this bylaw. The notice, form or infraction ticket may be issued by either serving it to the accused personally or by leaving it at his or her last known place of residence or by regular mail.
  - (d) Payment of the specified fine is accepted in lieu of prosecution. If payment is not received within thirty (30) days, the animal control officer or peace officer are hereby authorized and empowered to issue a summons for the offence.
9. All licenses, finds and pound fees are to be paid by cash, certified cheque or money order before any dog, cat or domestic animal is to be released from the animal shelter.
10. Bylaw 2004-821 and all amendments thereto is hereby repealed.

This amending Bylaw shall take effect and come into force as of the date of the final reading thereof.

READ a first time this 23<sup>rd</sup> day of March, 2009.

READ a second time this 23<sup>rd</sup> day of March, 2009.

READ a third time and finally passed this 23<sup>rd</sup> day of March, 2009

**TOWN OF TWO HILLS**



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MARK KUSSMANN  
MAYOR

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SHEILA KITZ  
CHIEF ADMINISTRATIVE OFFICER



## SCHEDULE "A"

### LICENSING:

	<b>FEE</b>
1. License for each neutered or spayed dog or cat	\$ 10.00
2. License for each unaltered dog or cat	\$ 50.00
3. License Tag Replacement	\$ 2.00
4. Kennel License	\$ 100.00
5. Pound Fees (per day or any part thereof)	\$ 20.00

*Senior Citizens pay fifty (50) percent of the fees as set out in 1, 2 & 4 above.*

### PENALTIES

<b>SECTIONS</b>	<b>OFFENCE</b>	<b>FINE</b>
3. (a)	Failing to obtain a dog or cat license	\$ 100.00
3. (j)	Harbouring more than two (2) dogs and two (2) cats	\$ 60.00
3. (j)	Failing to obtain a kennel license	\$ 100.00
4. (a)	Allowing a dog, cat or other domestic animal to run at large	\$ 75.00
4. (b)	Permitting a dog or cat to disturb the peace of other persons	\$ 75.00
5. (a) (v)	Allowing a vicious dog to run at large	\$ 250.00
5. (b)	Failing to remove dog, cat or other domestic animal defecation from another's property	\$ 75.00
5. (c)	Failing to keep property in a clean, sanitary and inoffensive condition.	
6. (f)	Tormenting or teasing a dog, cat or other domestic animal	\$ 200.00
7. (f)	Harming an animal in accordance with 7 (f)	\$ 200.00

