

BYLAW 6475

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A BYLAW OF THE CITY OF LETHBRIDGE FOR  
THE REGULATION OF ANIMALS AND ACTIVITIES  
IN RELATION TO THEM

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WHEREAS, pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26 and amendments thereto (the "Act"), a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS, pursuant to the Act, a council may pass bylaws for municipal purposes respecting wild and domestic animals and activities in relation to them;

AND WHEREAS, pursuant to the Act, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the Act or any other enactment;

AND WHEREAS, pursuant to the Act, a council may in a bylaw:

- (a) regulate or prohibit; and
- (b) provide for a system of licences, permits or approvals.

NOW THEREFORE, THE COUNCIL OF THE CITY OF LETHBRIDGE, IN THE PROVINCE OF ALBERTA, ENACTS AS FOLLOWS:

**Short Title**

1 This Bylaw shall be referred to as the "Animal Care and Control Bylaw."

**Purpose**

2 The purpose of this Bylaw is to promote the concept of responsible pet ownership and for the regulation and control of Animals.

**PART 1**

**DEFINITIONS**

3 In this bylaw:

- (a) "**Aggressive Dog**" means any Dog that:
  - (i) has chased, bitten or attacked any Person or Animal causing physical injury and resulting in a conviction under this Bylaw;
  - (ii) has chased, bitten or attacked any Person or Animal on more than one occasion, without causing physical injury and resulting in a conviction under this Bylaw; or
  - (iii) has been made the subject of an order under the *Dangerous Dogs Act*, RSA 2000, c D-3.

- (b) “**Altered**” means an Animal that has been spayed or neutered;
- (c) “**Animal**” means any reptile, bird, amphibian or mammal excluding humans;
- (d) “**Animal Services Centre**” means the City facility established for the holding of impounded Animals as set out in this Bylaw;
- (e) “**Bylaw Enforcement Officer**” means any animal control officer or person appointed by the City pursuant to provisions of section 555 of the *Municipal Government Act*, R.S.A. 2000, c. M-26; a peace officer appointed pursuant to the *Peace Officer Act*, S.A. 2006, c. P-35; or a police officer under the *Police Act*, R.S.A. 2000, c. P-17;
- (f) “**Cat**” means either the male or female of the feline family;
- (g) “**City**” means the municipal corporation of the City of Lethbridge or the area contained within the boundary thereof as the context requires;
- (h) “**City Manager**” means the City Manager of the City of Lethbridge or delegate;
- (i) “**Court**” means the Alberta Court of Justice or court of competent jurisdiction;
- (j) “**Dog**” means either the male or female of the canine family;
- (k) “**Dog Fancier’s Licence**” means a Dog Licence issued annually to an Owner permitting the keeping or harbouring, on land or premises occupied by the Owner of up to four (4) Licensed Dogs over the age of six months;
- (l) “**Fur-bearing Animal**” means fur-bearing animal as defined under the *Wildlife Act*, R.S.A 2000, c. W-10 and any regulations thereunder, as amended or replaced;
- (m) “**Identification Tag**” means a tag with a City issued Licence number to an Owner for each Licensed Dog or Voluntary Cat Licence;
- (n) “**Leash**” means a chain or other material capable of restraining or controlling an Animal;
- (o) “**Licence**” means a licence issued pursuant to this Bylaw;
- (p) “**Livestock**” means horses, cattle, sheep, swine, donkeys, goats, rabbits, and Fur-bearing animals raised in captivity;
- (q) “**Marked for Identification**” means the placement of a traceable microchip or a discernable tattoo;
- (r) “**Municipal Tag**” mean a ticket alleging an offence, issued pursuant to the authority of a bylaw of the City of Lethbridge;
- (s) “**Owner**” includes any Person:
  - (i) named on a City Licence; or
  - (ii) who has charge, care, custody, or control of an Animal, except a veterinarian caring for an Animal in the regular practice of veterinary medicine.



- (t) **“Park”** means a public space controlled by the City and set aside as a park to be used by the public for rest, recreation, exercise, pleasure, amusement, cultural heritage, education, appreciation of nature, and enjoyment and includes:
  - (i) Playgrounds;
  - (ii) Cemeteries;
  - (iii) Natural areas;
  - (iv) Sports fields;
  - (v) Pathways;
  - (vi) Trails; and
  - (vii) Park roadways.
- (u) **“Person”** means an individual or a business entity including a firm, partnership, association, corporation or society;
- (v) **“Pigeon”** mean a member of the widely distributed family of birds derived from the self-sustaining captive populations of columbidae;
- (w) **“Poultry”** means chickens, turkeys, geese, and ducks;
- (x) **“Running at Large”** means a Dog which is not under control of a Person by means of a Leash and is actually upon property other than the property in respect of which the Owner of the Dog has the right of occupation, or upon any highway, thoroughfare, street, road, trail, avenue, parkway, lane, alley, square, bridge, causeway, trestle, sidewalk (including the boulevard portion of the sidewalk) Park or other place;
- (y) **“Severe Injury”** includes any injury to a Person or Animal requiring sutures, surgery, or has caused disfiguring or scarring lacerations, broken bones, severe sprains, or any other similar serious injury;
- (z) **“Violation Ticket”** means a violation ticket as defined under the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or replaced;
- (aa) **“Wildlife”** means wildlife as defined under the *Wildlife Act*, R.S.A 2000, c. W-10 and any regulations thereunder, as amended or replaced.

## PART 2

### REGULATION OF DOGS

#### Keeping Dogs Under Control

**4(1)** The Owner of a Dog shall ensure that such Dog is not Running at Large, except as provided in subsection (2).

**(2)** The City may designate areas where Dogs are permitted to run when off-Leash, and may designate areas where organized and controlled Dog events may be held causing signs to be posted in such areas indicating such designation.

**5(1)** The Owner of a Dog shall ensure that such Dog does not:

- (a) bite a Person, causing injury;
- (b) bite a Person, not causing injury;
- (c) do any act that injures a Person;
- (d) chase or otherwise threaten a Person whether on the property of the Owner or not, unless the Person chased or threatened is an intruder on the property of the Owner;
- (e) chase other Animals, bicycles, or motor vehicles;
- (f) bite another Animal;
- (g) bark and or howl excessively or unnecessarily, or otherwise create a disturbance;
- (h) cause damage to other property or Animals;
- (i) cause death to other Animals;
- (j) cause Severe Injury, whether on the property of the Owner or not; or
- (k) upset waste receptacles.

**(2)** Section 5(1) does not apply as a direct result of the Dog being provoked.

**(3)** The Owner of a Dog which is in or on the rear/back of a vehicle while moving or parked shall insure that:

- (a) the Dog is secured so as to ensure the Dog is unable to fall out of or leave the vehicle; and
- (b) the Dog is secured so as to be unable to reach any of the sides or rear of the vehicle to prevent the Dog from disturbing people adjacent to or in close proximity to the vehicle.

**6** Every Owner of a female Dog shall confine and house such female Dog during the period the Dog is in heat.

### **Removing Excrement**

**7(1)** Any Owner whose Dog defecates on any public or private property other than the property of its Owner must remove forthwith any defecated matter deposited.

**(2)** A registered owner shown on the land title certificate for a property and/or the tenant shall not allow the accumulation of Dog defecation on their property to become a nuisance and, or injurious to public health, or that might hinder in any manner the prevention or suppression of disease.

**(3)** A blind Owner of a registered guide Dog, or a blind Person being assisted by a registered guide Dog is not subject to the obligations imposed in subsection (1).



## **Aggressive Dogs**

- 8(1)** No Person shall own, keep, maintain or harbour an Aggressive Dog without a valid and subsisting Aggressive Dog Licence.
- (2)** The Owner or any other Person having care or control of an Aggressive Dog shall, at all times when it is off the property of the Owner, have it:
- (a)** under control;
  - (b)** muzzled; and
  - (c)** held on a leash not exceeding one metre in length.
- (3)** The Owner or any other Person having care or control of an Aggressive Dog shall, at all times when it is on the property of the Owner, have it:
- (a)** indoors; or
  - (b)** outdoors, secured in a fully enclosed pen, or otherwise supervised.
- (4)** Aggressive Dogs are not permitted at off-Leash areas designated under section 4(2).

## **PART 3**

### **LICENSING OF DOGS**

- 9(1)** Every Owner of a Dog must apply to the Regulatory Services Department or Animal Services Centre or delegate for an annual Licence for such Dog and shall pay therefore an annual fee as set out in Schedule D of this Bylaw.
- (2)** Every Owner of a Dog shall obtain a Licence for such Dog, the first day on which the Licence office is open for business after he becomes the Owner of the Dog, or the Dog has attained the age of six (6) months and thereafter annually.
- (3)** An Owner shall ensure that an Identification Tag with the City issued Licence number is attached to a collar worn by the Dog whenever the Dog is off the premise ordinarily occupied by the Owner.
- (4)** The City will not issue any Licence for a Dog alleged to be Altered, marked for identification, or both, without proof in a form satisfactory to the City that the Dog has been so Altered or marked for identification.
- (5)** Every Licence is valid from January 1st or date of first purchase to December 31st of each calendar year.
- (6)** If the Identification Tag is lost or destroyed, a replacement Identification Tag may be issued by the Regulatory Services Department or Animal Services Centre or its delegate upon presentation by the Owner of a receipt showing payment of the Licence fee for the current Dog Licence year.
- (7)** Identification Tags are not transferable from one Dog to another and no refund will be made on any subsisting Dog Licence fee because of the death, loss or sale of the Dog or upon the Owner's leaving the City before expiration of the Licence period.

(8) In any prosecution or proceeding for a contravention of section 9 the burden of proof relating to the age of the Dog shall be upon the Owner and unless the contrary is proven the Dog shall be presumed to have attained the age of six (6) months of age.

(9) The full amount of the Licence fee shall be payable for any Dog older than six (6) months of age.

(10) Service dogs as defined under the *Service Dog Act*, S.A. 2007, c. S-7.5 or guide dogs as defined in the *Blind Persons' Rights Act*, R.S.A. 2000, c. B-3, are not required to pay a Licence fee.

(11) The Owner of an Aggressive Dog shall:

- (a) be over the age eighteen (18) years;
- (b) have a licensed veterinarian implant a microchip in the Dog and provide of a copy of the information contained thereon to the City Manager prior to a Licence being issued;
- (c) obtain an Aggressive Dog Licence ;
- (d) obtain the annual Licence for the Aggressive Dog on such day specified by the City Manager every year;
- (e) notify the City Manager should the Dog be sold, gifted, die or be transferred to another Person;
- (f) remain liable for the actions of the Dog until formal notification of sale, gift or transfer is given to the City Manager; and
- (g) notify the Animal Services Centre if the Dog is Running at Large.

(12) The City Manager may impose additional reasonable conditions upon issuing an Aggressive Dog Licence or Dog Fancier's Licence.

(13) Where a Licence required pursuant to this section has been paid for by the tender of an uncertified cheque, the Licence:

- (a) is issued subject to the cheque being accepted and cashed by the bank without any mention of this condition being made on the Licence; and
- (b) is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

#### **Dog Fancier's Licence**

10(1) No person shall exceed two (2) Dogs over the age of six months in a single-family dwelling except in the case where an Owner is in receipt of a Dog Fancier's Licence.

(2) An Owner requesting a Dog Fancier's Licence must submit an application to the City Manager.

(3) All Dog Fancier's Licence applications must disclose the:



- (a) location for Licence;
  - (b) purpose;
  - (c) breed and sex of Dogs; and
  - (d) type of facilities.
- (4) The Bylaw Enforcement Officer will not issue a Dog Fancier's Licence without first reviewing the proposed location.
- (5) The Bylaw Enforcement Officer will not issue a Dog Fancier's Licence if in their opinion the site or conditions are unsuitable.
- (6) A Dog Fancier's Licence is not transferable to any other Owner, property, or Dogs described in the application.
- (7) Any approved Licence will be issued upon the payment of the fee specified in Schedule D of this Bylaw. Each Dog owned under a Dog Fancier's Licence shall be Licensed.
- (8) The Bylaw Enforcement Officer may remove an Owner's Dog Fancier's Licence if the Owner has received two (2) or more Municipal Tags, Violation Tickets or orders within a twelve (12) month period, in respect to any section, or any combination of sections under this Bylaw.
- 11 An Owner who fails to comply with a condition of an Aggressive Dog Licence, or Dog Fancier's Licence is guilty of an offence.

#### **PART 4**

##### **REGULATION OF CATS**

- 12 No Person shall exceed six (6) Cats over the age of six (6) months in a single-family dwelling or residential property.
- 13 The Owner of any Cat shall ensure that such Cat does not:
- (a) bite, scratch or do any other act that injures a Person;
  - (b) chase or otherwise threaten a Person whether on the property of the Owner or not;
  - (c) bite, scratch or chase other Animals;
  - (d) cause damage to other property; or
  - (e) defecate on private property other than the property of the Owner.

#### **PART 5**

##### **REGULATION OF PIGEONS**

- 14(1)** No Person shall keep or have Pigeons on any premises in the City unless they obtain a Pigeon Licence.
- (2)** The annual Licence fee to keep or have Pigeons is set out in Schedule D.
- (3)** Every Licence is valid from January 1<sup>st</sup> or date of first purchase to December 31<sup>st</sup> of each calendar year.
- (4)** The City Manager will not issue a Pigeon Licence without first reviewing the proposed location for the Pigeons on the premises.
- (5)** The Owner of a Pigeon Licence must notify the City if the Pigeons are relocated or moved within the City and must agree to an inspection of the new location.
- (6)** The Owner of a Pigeon Licence must maintain membership in good standing of either the Canadian Pigeon Fanciers' Association or the Canadian Racing Pigeon Union.
- (7)** Pigeons must be banded with an identifying leg band issued by the Canadian Pigeon Fanciers' Association or the Canadian Racing Pigeon Union.
- (8)** Pigeons must be kept enclosed within the loft except during flying times. When flying, the following restrictions apply:
- (a)** exercise period may not exceed three (3) hours per day;
  - (b)** must not fly more than thirty (30) Pigeons at a time; and
  - (c)** no perching, roosting or resting Pigeons on property other than the Owners.
- (9)** With respect to both the interior and exterior, pigeon lofts must:
- (a)** be in a clean condition;
  - (b)** be free from rodents;
  - (c)** be free from any offensive odours;
  - (d)** have all exterior surfaces painted or covered with a vinyl or aluminum cover; and
  - (e)** have all interior surfaces kept in a clean and sanitary condition.
- (10)** Pigeon lofts must be located in a rear yard not less than three (3) meters from the property lines, and ten (10) meters from any dwelling other than the Owners dwelling unit.
- (11)** Nothing in this section 14 exempts or relieves any Person from any obligation to comply with the City's *Land Use Bylaw* or building code requirements.

## **PART 6**

### **REGULATION OF WILDLIFE AND LIVESTOCK**

- 15** No Person shall have or keep Wildlife within the City.
- 16** No Person shall keep Livestock, Poultry or bees other than two pet rabbits per household within the City, unless otherwise permitted in this Bylaw, or the location in which such Livestock, Poultry or bees are kept falls within one of the following classifications:



- (a) Those areas of the City which would be classified as farms in compliance with requirements of the City's Land Use Bylaw;
  - (b) Those locations in the City for which development approval has been granted pursuant to the requirements of the Land Use Bylaw, which includes those locations where there is an existing use which does not conform to the current Land Use Bylaw, but is a legal non-conforming use, where the permitted or legal non-conforming use involves a farm, a packing plant, a Livestock auction market, a Livestock brokerage, facility, a feed lot or similar operation;
  - (c) Pet shops;
  - (d) The Exhibition Grounds at 3401 Parkside Drive South, Lethbridge;
  - (e) Veterinary clinics or veterinary hospitals;
  - (f) Sports Centre at 2510 Scenic Drive South, Lethbridge; and
  - (g) Animal Services Centre.
- 17 No Person while raising Livestock or Poultry shall create, establish or maintain:
- (a) any stable, byre or other building in which birds or animals are kept in such a manner that may hinder the profession's prevention or suppression of disease;
  - (b) Any accumulation or deposit of refuse, wherever situated, to become a nuisance and, or injurious to public health, or which may hinder in any manner the prevention or suppression of disease;
  - (c) Any deposit of offensive matter, refuse, awful, offal or manure contained in uncovered vehicles or elsewhere to become a nuisance and, or injurious to public health, or which may hinder in any manner the prevention or suppression of disease; or
  - (d) Any accumulation or deposit or of refuse, wherever situated, for so long a period as to provide a breeding place or flies or creation of odours.
- 18 All Livestock or Poultry, while not under the direct control of a Person must be placed in a fenced or other secured area which prevents the free roaming of such Livestock or Poultry.
- 19 Where Livestock or Poultry trespass within the City on any:
- (a) public lands owned by the City, including highways; or
  - (b) lands privately owned without the consent of the owner of the lands;
- while the Livestock or Poultry are on such lands a Bylaw Enforcement Officer may capture and confine such Livestock or Poultry.

## PART 7

### REGULATION OF ANIMALS

## **Unattended Animals**

**20(1)** The Owner of an Animal left unattended in a motor vehicle must ensure:

- (a) the Animal is restrained in a manner that prevents contact between the Animal and any member of the public; and
- (b) the Animal has suitable ventilation.

**(2)** Notwithstanding section 1(b), the Owner of an Animal must not leave an Animal unattended in a motor vehicle when the temperature outdoors is below minus fifteen (15) degrees Celsius or above twenty (20) degrees Celsius except where the motor vehicle has an active running climate control system.

**21** No Person shall abandon or leave any Animal unattended in a public place.

## **Basic Care Requirements**

**22** The Owner of an Animal must ensure the Animal is provided basic care requirements with:

- (a) access to suitable shelter to protect against injury from cold and heat;
- (b) adequate and sanitary space for its species;
- (c) clean water; and
- (d) species-specific food.

## **Animals at Large**

**23** The Owner of an Animal that is not prohibited or otherwise regulated under this Bylaw shall ensure that such Animal remains under the direct control of a Person or is secured in manner specific to the species requirements.

## **Impounded Animals and Adoptions**

**24** A Bylaw Enforcement Officer may capture and impound any Animal which is found to be at large within the City.

**25** A Bylaw Enforcement Officer may take into their custody and impound any Animal in the case of an emergency including, but not limited to fire, medical incident, disaster or arrest.

**26** The Bylaw Enforcement Officer may seize and impound any Dog which is:

- (a) actually or apparently over the age of six (6) months and for which no current Licence has been issued pursuant to the provisions of this Bylaw when such a Dog is off the premises of its Owner;
- (b) Running at Large;
- (c) named or described or otherwise designated in a complaint made pursuant to the *Dangerous Dogs Act*, R.S.A 2000, c. D-3;



- (d) named or described or otherwise designated in a complaint alleging the Dog to be hostile;
- (e) chasing, worrying or annoying any Animal on property other than that belonging to the Owner of the Dog;
- (f) a public nuisance, through including but not limited to barking, howling excessively or unnecessarily, or otherwise creating a disturbance whether the Dog is on the property of the Owner or not; or
- (g) required to be impounded by operation of law.

**27(1)** If the Bylaw Enforcement Officer knows or can ascertain the name of the Owner of any impounded Animal the Bylaw Enforcement Officer must serve the Owner with a copy of the Notice in Schedule C of this Bylaw, either personally or by leaving it at, or by mailing it to, the last known address of the Owner.

**(2)** An Owner of an Animal to whom a Notice is mailed pursuant to subsection (1) is deemed to have received a Notice within seventy-two (72) hours from the time it is mailed.

**28(1)** The Owner of any impounded Animal that is being released with conditions may reclaim the Animal from the Animal Services Centre by paying to the Bylaw Enforcement Officer the costs of impoundment as set out in Schedule B of this Bylaw, and by obtaining the Licence for such Animal should a Licence be required under this Bylaw.

**(2)** Where an Animal is claimed, the Owner must provide proof of ownership of the Animal.

**(3)** The Owner of an Animal who has been found not guilty of committing an offence under this Bylaw may request the return of any fees paid by them for reclaiming their Animal.

**29(1)** The City Manager may sell or destroy an impounded Animal when the following conditions are met:

- (a) After an Animal is retained in the Animal Services Centre for:
  - (i) five (5) business days after the Owner has received notice under section 27(1) or is deemed to have received notice under Section 27(2) that the Animal is in the Animal Services Centre, or
  - (ii) three (3) business days, if the name and address of the Owner is not known, or unless a Person having the authority orders the retention or the destruction of the Animal, or unless the Owner of the Animal makes arrangements with the City Manager for the further retention of the animal the City Manager may cause the Animal to be sold or destroyed.

**(2)** Notwithstanding section 29(1)(a) the City Manager may:

- (a) retain an Animal for a longer period; or
- (b) euthanize an Animal after a shorter period if humane purposes warrant.

**(3)** The City Manager may offer for sale all unclaimed Animals which have been in the Animal Services Centre for:

- (a) five (5) business days or longer after the Owner has received notice or is deemed by section 27(2) to have received notice when the name and address of the Owner are known; and
  - (b) three (3) business days or longer if the name and address of the Owner is not known.
- (4) No impounded Dog may be sold by the City Manager:
- (a) to any resident of the City until a Licence has first been purchased for the Dog by such resident; or
  - (b) to any non-resident of the City until they have provided reasonable proof that they are not a resident of the City.
- (5) The City Manager may, before selling an unclaimed Dog or Cat require that the Dog or Cat be spayed or neutered.
- (6) The purchaser of an Animal from the Animal Services Centre pursuant to the provisions of this section obtains full right and title to the Animal and the right and title of the former Owner of the Animal ceases.
- (7) When the City Manager agrees to euthanize a Dog the Owner will pay to the City Manager the applicable fee set out in Schedule B of this Bylaw.
- 30 The City Manager may refuse the adoption of any Animal housed at the Animal Services Centre to a Person deemed an unsuitable pet owner by the City Manager.

**Communicable Disease**

- 31(1) The Owner of an Animal which is suffering from any communicable disease shall not permit the Animal to be in any public place and shall not allow the Animal from coming into contact with or in close proximity of any other Animal that the Owner knows or reasonably believes is free of such disease.
- (2) Any Person who owns or who harbours, maintains or keeps an Animal which they know or has reason to know is or may be suffering from rabies, or which they know or believe has been exposed to rabies:
- (a) shall keep the Animal locked or tied up;
  - (b) shall not permit another Animal to come in contact with it; and
  - (c) shall immediately report the matter to the medical officer of health, the chief provincial veterinarian and the City Manager.

**Restricted Areas**

- 32(1) No Animals are permitted in the following areas without a permit being first obtained from the City:
- (a) a cemetery;
  - (b) a school ground;



- (c) within the constructed footprint of a playground or picnic site;
- (d) a nature reserve or preservation area; or
- (e) any other areas identified by posted signage by the City.

## PART 8

### ENFORCEMENT

#### **Obstruction**

**33** No Person shall obstruct or hinder any Person in the exercise or performance of the Person's powers or duties pursuant to this Bylaw.

#### **Inspections**

**34** Subject to the entry notice provisions of the *Municipal Government Act*, R.S.A 2000, c. M-26, a Bylaw Enforcement Officer, bearing proper identification, may enter a premises to conduct an inspection in order to determine whether or not this Bylaw or a remedial order issued pursuant to this Bylaw is being complied with.

#### **Violations**

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

#### **Onus of Proof**

**36(1)** The onus of proving a Person has a valid and subsisting Licence is on the Person alleging the Licence.

(2) The onus on proving the age of an Animal is on the Person alleging the age.

(3) The onus of proving the Animal is Altered is on the Owner of the Animal.

#### **Continuing Offence**

**37** 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 and a Person guilty of such an offence is liable to a fine of an amount not less than that established by this Bylaw for each such day.

#### **Fines and Penalties**

**38(1)** 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 in default of payment of any fine imposed, to imprisonment for not more than six (6) months for non-payment of a fine.

(2) Without restricting the generality of subsection (1) the fine amounts established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered are:

- (a) Set out in Schedule A; and,

- (i) Where any Person contravenes the same provision of this Bylaw twice within one twelve (12) month period, the specified penalty payable in respect of the second contravention is double the amount shown in Schedule A of this Bylaw in respect of that provision; and
- (ii) Where any Person contravenes the same provision of this Bylaw three or more times within one twelve (12) month period, the specified penalty payable in respect of the third or subsequent offence is triple the amount shown in Schedule A of this Bylaw in respect of that provision.

### **Municipal Tag**

**39(1)** A Bylaw Enforcement Officer is authorized to issue a Municipal Tag to any Person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

(2) A Municipal Tag may be issued to a Person:

- (a) Personally; or
- (b) by mailing a copy to the Person at their last known address

(3) A Municipal Tag must include:

- (a) the name of the Person;
- (b) the offence;
- (c) the specified penalty established by this Bylaw for the offence; and
- (d) that the penalty must be paid within twenty-one (21) days of the issuance of the Municipal Tag.

(4) Where a Municipal Tag is issued pursuant to this Bylaw, the Person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the City the penalty specified within the time period indicated on the Municipal Tag.

### **Violation Tag**

**40(1)** If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Bylaw Enforcement Officer is authorized to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34 ("POPA").

(2) Notwithstanding subsection (1), a Bylaw Enforcement Officer is hereby authorized to immediately issue a Violation Ticket pursuant to POPA to any Person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

(3) If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

- (a) specify the fine amount established by this Bylaw for the offence; or
- (b) require a Person to appear in Court without the alternative of making a voluntary payment.



(4) A Person who commits an offence may:

- (a) if a Violation Ticket is issued in respect of the offence; and
- (b) if the Violation Ticket specifies the fine amount established in this Bylaw for the offence

make a voluntary payment to the Court, on or before the initial appearance date indicated on the Violation Ticket, in the amount of the specified penalty set out on the Violation Ticket.

(5) The levying and payment of any fine for any period provided in this Bylaw does not relieve a Person from the necessity of paying any Permit Fees, charges or costs from which the Person is liable under the provisions of this Bylaw.

### Orders

41 If the City Manager believes, on reasonable grounds, that a person is contravening any provision of this Bylaw, the City Manager may, by written order, require any person responsible for the contravention to remedy it.

42 An order issued pursuant to section 41 may:

- (a) direct a person to stop doing something, or to change the way in which the person is doing it;
- (b) direct a person to take any action or measures necessary to remedy the contravention of the bylaw and, if necessary, to prevent a re-occurrence of the contravention;
- (c) state a time within which the person must comply with the directions; or
- (d) state that if the person does not comply with the directions within a specified time, the City will take the action or measure.

43 A person named in and served with an order issued pursuant to this section shall comply with any action or measure required to be taken within the time specified.

44 An order issued pursuant to section 41 may be served:

- (a) in the case of an individual:
  - (i) by delivering it personally to the individual;
  - (ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age; or
  - (iii) by mail address to the individual at their apparent place of residence or at any address for the individual on the tax roll of the City or at the Land Titles registry;
- (b) in the case of a corporation:
  - (i) by delivering personally to any director or officer of the corporation;
  - (ii) by delivering it personally to a person apparently in charge of an office of the corporation at an address held out by the corporation to be its address; or

- (iii) by mail address to the registered office of the corporation.

## PART 9

### GENERAL PROVISIONS

- 45 Without restricting any other power, duty or function granted by this bylaw the City Manager 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 areas where activities otherwise regulated, restricted or prohibited by this Bylaw are permitted;
  - (e) establish forms for the purposes of this Bylaw,
  - (f) delegate any powers, duties or functions under this Bylaw to an employee of the City;
  - (g) issue permits in relation to this Bylaw subject to terms and conditions the City Manager deems appropriate;
  - (h) establish the criteria to be met for a permit to be issued pursuant to this Bylaw;
  - (i) charge a fee for issuing permits pursuant to the Bylaw; and
  - (j) refund any Licence fee or portion thereof.
- 46 Any headings or sub-headings in this Bylaw are included for guidance purposes and convenience only, and do not form part of this Bylaw.
- 47 Each provision of this Bylaw is independent of all other provisions and if any provision is determined invalid for any reason by a Court all provisions of this Bylaw remain valid and enforceable.
- 48 Nothing in this Bylaw relieves a Person from complying with any provision of any federal or provincial law or regulation, or other bylaw or any requirement of any permit or licence.
- 49 This Bylaw does not apply to the City in respect of Animals used by or on behalf of the City for any purpose, including interpretive programs or weed control, on City-owned lands.
- 50 This Bylaw does not apply to a police service dog engaged in police work.

#### **Repeal**

- 51 Bylaw 5235, 3383, and 2609 are hereby repealed upon this Bylaw coming in to force.
- 52 This Bylaw shall come into force on May 1<sup>st</sup>, 2025.



READ A FIRST TIME this 10 day of December, <sup>2024</sup> ~~A.D. 2025~~ *BB*

*BB*  
MAYOR

*Tom Lohp*  
CITY CLERK

READ A SECOND TIME this 21 day of January, A.D. 2025

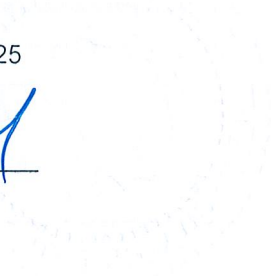
*BB*  
MAYOR

*Tom Lohp*  
CITY CLERK

READ A THIRD TIME this 21 day of January, A.D. 2025

*BB*  
MAYOR

*Tom Lohp*  
CITY CLERK



SCHEDULE "A"

SPECIFIED PENALTIES

<u>SECTION</u>	<u>OFFENCE</u>	<u>PENALTY</u>
4(1)	Dog Running at Large	\$100
5(1)(a)	Dog bites a Person, causing injury	\$300
5(1)(b)	Dog bites a Person, not causing injury	\$200
5(1)(c)	Dog injures a Person	\$200
5(1)(d)	Dog chases a Person	\$150
5(1)(e)	Dog chases other Animals, bicycles, or motor vehicles	\$100
5(1)(f)	Dog bites another Animal	\$100
5(1)(g)	Dog barks, howls, excessively or unnecessarily, or otherwise creates a disturbance	\$100
5(1)(h)	Dog causes damage to property or other Animals	\$100
5(1)(i)	Dog causes death to other Animals	\$500
5(1)(j)	Dog causes Severe Injury	\$500
5(1)(k)	Dog upsets waste receptacles	\$100
5(3)	Dog transported loose in open box of truck	\$200
6	Dog in heat	\$100
7(1)(2)(3)	Dog defecation	\$100
8(1)	Aggressive Dog not Licensed	\$300
8(2)(3)(4)	Failure to comply with an Aggressive Dog conditions	\$500
9(1)	Dog not Licensed	\$150
9(3)	Dog not wearing Identification Tag	\$60
10(1)	Exceed maximum number of Dogs	\$300
12(1)	Exceed maximum number of Cats	\$300



<u>SECTION</u>	<u>OFFENCE</u>	<u>PENALTY</u>
13(1)(a)	Cat bite, scratch or injures a Person	\$200
13(1)(b)	Cat chase or threaten a Person	\$150
13(1)(c)	Cat bite, scratch or chase Animal	\$100
13(1)(d)	Cat damages property	\$100
13(1)(e)	Cat defecates on private property	\$150
14(1)	Failure to obtain Pigeon Licence	\$100
14(8)(a), (b), (c)	Failure to comply with Pigeon restrictions	\$100
14(9)(a), (b), (c), (d), (e)	Failure to maintain Pigeon loft	\$100
15	Keeping of Wildlife	\$300
16(1)	Keeping of Livestock, Poultry or bees	\$300
17(1)(a), (b), (c), (d)	Failure to maintain proper conditions for raising Livestock or Poultry	\$300
20(1)(a)	Animal not properly restrained in motor vehicle	\$100
20(1)(b)	Animal not provided suitable ventilation in motor vehicle	\$300
20(2)	Animal unattended in motor vehicle when weather conditions not suitable	\$300
21	Animal left unattended in public place	\$300
22(1)(a), (b), (c), (d)	Failing to provide basic Animal care	\$300
23	Animal at large	\$100
31(1)	Animals with communicable diseases in public places	\$100
31(2)	Failure to report rabies	\$100
32(1)(a), (b), (c), (d), (e)	Animal in restricted areas	\$100
33	Obstruction	\$500
41	Failing to comply with order	\$300

SCHEDULE "B"  
FEEES

<u>SECTION</u>	<u>OFFENCE</u>	<u>PENALTY</u>
1	Impoundment fees	\$60
2	Aggressive Dog Impoundment fee	\$100
3	Care and sustenance (per day or portion thereof to commence at midnight on the day of impoundment)	\$15
4	Veterinary fee	Amount Expended
5	Owner drop-off fee	\$300
6	Purchase price of all Dogs and Cats (not including veterinary fees expended)	\$60
7	Destruction of a Dog or Cat fee	\$300



SCHEDULE "C"  
NOTICE

You are hereby notified that an Animal bearing identification showing your name and address, was impounded on \_\_\_\_\_, A. D. \_\_\_\_\_ pursuant to the provisions of Bylaw No. 6475 of the City of Lethbridge, and that, unless the said Animal is claimed and all impoundment charges are paid, on or before \_\_\_\_\_ A.D. \_\_\_\_\_, the said Animal will be sold or euthanised pursuant to the said Bylaw.

SCHEDULE "D"  
LICENCE FEES

<u>SECTION</u>	<u>STATUS OF ANIMAL</u>	<u>ANNUAL FEE</u>
1	Any Dog that is altered and is Marked for Identification	\$20
2	Any Dog that is altered but is not Marked for Identification	\$25
3	Any Dog that is not altered but is Marked for Identification	\$45
3	Any Dog that is not altered and not Marked for Identification	\$50
4	Dog Fancier Licence (in addition to regular Licence fee per Dog)	\$20
5	Aggressive Dog Licence fee	\$150
7	Pigeon Licence fee	\$10
8	Police or Law Enforcement Dog	Free
9	Service Dog	Free
		One Time Fee
10	Voluntary Cat Licence	\$10