



**TOWN OF HIGH LEVEL
ASSORTED ANIMAL BYLAW
BYLAW NO. 928-12**

WHEREAS a The Municipal Government Act authorizes the Council of a municipality to pass bylaws respecting wild and domestic animals and activities in relation to them, and to enforce such bylaws and, which bylaws shall not be inconsistent with that Act;

WHEREAS the Town of High Level desires to proactively address community challenges and protect ecological integrity, to promote responsible pet ownership and promote food security and sovereignty,

NOW THEREFORE the Council of the Town of High Level, in the Province of Alberta, duly assembled, hereby enacts as follows:

**PART 1
DEFINITIONS**

1. This Bylaw may be referred to as “The Assorted Animal Bylaw”.
2. In this Bylaw:
 - a) **“Bylaw”** means a Town bylaw, including any amendments thereto;
 - b) **“Bylaw Enforcement Officer”** means an individual appointed as such in accordance with Bylaw 970-10, the “Bylaw Enforcement Officer Bylaw” (as amended);
 - c) **“Court”** means the Provincial Court of Alberta;
 - d) **“Hen”** means a female chicken over 4 months of age.
 - e) **“Municipal Violation Tag”** means a Town-issued notice that alleges an offence and provides a Person with the opportunity to pay an amount to the Town in lieu of prosecution for the offence;
 - f) **“Peace Officer”** means a Person employed for the purposes of preserving and maintaining the public peace, and includes
 - I. a provincially-appointed Community Peace Officer, and
 - II. a Bylaw Enforcement Officer authorized to enforce this Bylaw in accordance with his or her appointment;
 - III. a member of the Royal Canadian Mounted Police;
 - g) **“Person”** includes any individual, corporation, society, association, partnership or firm;
 - h) **“Poultry Permit”** means a one-time fee, as established from time to time by Council, for the keeping of hens.
 - i) **“Rodeo Grounds”** includes grounds owned by the High Level Agricultural Society for the purpose of holding agricultural events or rodeos.

- j) "Town" means the Town of High Level, a municipal corporation of the Province of Alberta, and includes, where the context so requires, the area contained within the boundaries of the Town of High Level;
- k) "Violation Ticket" means a violation ticket issued in accordance with the Provincial Offences Procedure Act S.A. 2009, c.52.

PART 2 PROHIBITIONS

1. This Bylaw does not regulate or control dogs.
2. No Person shall keep or cause or suffer to be kept any bovine, equine, porcine or ruminant animal within the corporate limits of the Town.
3. No Person shall keep or cause or suffer to be kept any bird, other than a caged bird as defined in this bylaw, within the corporate limits of the Town.
4. No Person shall keep rabbits on any property within the corporate limits of the Town, unless confined within a secure closure.
5. No Person shall slaughter any animals within the corporate limits of the Town.
6. Subject to clause 11 of this bylaw, no Person shall keep wild or domestic animals in any part or parts of the Town when, in the opinion of the Town, the keeping is likely to cause a nuisance.

Poultry

7. Notwithstanding section 3, any Person wishing to bring keep poultry on a residential property in the Town, shall submit a Poultry Permit application as described in "Schedule 2" to the Town for approval of the birds to be located on their property. As part of the permit process, plans for coops and roosts shall be submitted to the Town prior to construction for approval.
8. The Town will advise adjoining property owners of Poultry Permit applications. Feedback from adjoining property owners will be considered by the Town in the permit approval process prior to making a decision.
9. Upon approval by the Town, a Person may keep up to a maximum of six (6) hens on residential property. The keeping of hens shall be based on having due regard for concerns relating to sanitation, noise, vermin and other nuisances.
 - a) Roosters are not permitted.
 - b) Coops and runs shall be located only in back or side yards, and shall be in good repair capable of being maintained in a clean and sanitary condition, free of

vermin, obnoxious smells and substances and not create a nuisance or disturbance to neighboring residents due to noise, odor, damage or threats to public health.

- c) Setback of coops and runs must be in accordance with the provisions of the Land Use Bylaw.
- d) A Person must have provisions to ensure that hens do not escape the property of the owner.
- e) A Person shall not allow poultry to be at large outside the rear property of the owner.

10. The keeping of hens shall be subject to a onetime fee as established from time to time by Council.

11. A permit may be revoked by the Town if:

- a) The Town determines that the coop is in disrepair or in an unsanitary condition
- b) Causing problems with wildlife
- c) Public complaints are received
- d) Any other reason deemed reasonable by the Town.

Other Animals

12. No Person shall lead, ride or drive any cattle or horses on any
- a) Sidewalk
 - b) Highway, or
 - c) Public property

located within the limits of the Town of High Level unless the animal is in direct and continuous charge of a Person who is competent to control the animal, and is controlling it in such a manner that it does not obstruct or cause any damage to, or create any hazard on the highway or public property.

13. Any Person wishing to bring wild or domestic animals associated with farming or circus into the Town for special events, shall submit an application as described in "Schedule 3" to the Town for approval of the animal to be located in the Town of High Level.

14. Persons applying under the provisions of clause 13 shall be permitted to keep wild or domestic animal(s) in the Town for a period of not more than one day before the event, the day(s) of the event, and not more than one day following close of the event.

PART 3 SEIZURE

15. A Peace Officer may take into custody, any animal that is in contravention of this bylaw and shall cause the animal to be taken into a suitable place where it will be fed and kept until its disposition is determined and further action if taken.
16. Expenses incurred under clause 15 shall be paid by the Town and the Town shall then have a lien on the animal for the recovery of those expenses which may include, but are not limited to the removal, care, feeding and keeping of the animal(s).
17. Any Town employee or Peace Officer shall not be held liable for the death or injury of any animal as a result of being pursued or in the process of capture.

PART 4 EXEMPTIONS

18. Horses owned or ridden by the Royal Canadian Mounted Police are exempt from this bylaw,
19. No Part of this bylaw will be applied to lands zoned as Agricultural / Urban Reserve
20. Animals kept as part of a sanctioned rodeo or agricultural show taking place at the Rodeo Grounds are exempt from this bylaw.

PART 5 ENFORCEMENT

Offence

17. A Person who contravenes any provision of this Bylaw is guilty of an offence and liable to a fine or fines and/or seizure and detainment of the animal(s).

Fines and Penalties

18. A Person who is guilty of an offence under this Bylaw is liable
 - a) to a fine as prescribed in Schedule 1; or
 - b) on summary conviction, to a fine not exceeding \$10,000.00 but not less than specified in Schedule 1 or to an order of imprisonment for not more than 1 year, or both.

Municipal Violation Tag

- 19.(1) A Peace Officer may issue, with respect to an offence under this Bylaw, a Municipal Violation Tag specifying the fine amount established by this Bylaw.
- (2) Where a Municipal Violation Tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.

Violation Ticket

- 20.(1) A Peace Officer may issue, with respect to an offence under this Bylaw, a Violation Ticket:
 - a) specifying the fine amount established by this Bylaw; or
 - b) requiring an appearance in court without the option of making a voluntary payment.
- (2) Where a Violation Ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

Service of Municipal Violation Tag

- 21. A Municipal Tag is deemed to have been properly served if;
 - a) It is served Personally on the owner of the animal or resident of the property
 - b) It is affixed to the a conspicuous place on the residence

Service of a Violation Ticket

- 22. A Violation Ticket is deemed to have been properly served if served in accordance with the Provincial Offences Procedures Act.

**PART 6
REPEAL BYLAW**

- 24. Bylaw 595 and associated amendments are hereby repealed

READ A FIRST TIME this 11th day of June, 2012.

READ A SECOND TIME this 11th day of June, 2012.

READ A THIRD AND FINAL TIME this 3rd day of July, 2012.

SIGNED AND PASSED this 5th day of July, 2012.



MAYOR



MUNICIPAL SECRETARY

SCHEDULE 1 – PENALTIES

Description	Bylaw Section	Penalty
Keep prohibited animal within corporate limits	2	150.00
Keep prohibited birds	3	150.00
Keep rabbits not confined within secure enclosure	4	150.00
Slaughter animal(s) on property	5	100.00
Keep animal when deemed a nuisance	6	300.00
Exceed maximum number of permitted hens	9	150.00
Keep Rooster	9(a)	150.00
Fail to maintain coops/runs in a sanitary condition	9(b)	150.00
No provisions to prevent escape	9(d)	150.00
Allowing hens to be at large	9(e)	150.00
Fail to pay permit fee for hens	10	150.00
Fail to control animal when in public	12	300.00