

## **BYLAW NO. 1438/25**

A BYLAW OF LACOMBE COUNTY IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATING, CONTROLLING AND THE CONFINEMENT OF DOGS.

WHEREAS the Municipal Government Act, RSA 2000, c.M-26 pursuant to the provisions of Sections 7 and 8, a Municipality may enact bylaws respecting domestic animals and activities in relation to them; and

WHEREAS section 44(1)(b.1) of the *Provincial Offences Procedure Act* authorizes a bylaw to provide that a specified penalty may be reduced by a specified amount if the penalty is paid within a specified time; and

WHEREAS the Council of Lacombe County deems it necessary to provide for the regulating, control and confinement of dogs running at large within the County;

NOW THEREFORE the Council of Lacombe County in the Province of Alberta, duly assembled, hereby enacts the following:

### **1) TITLE**

This Bylaw shall be known as the "Dog Control Bylaw".

### **2) APPLICATION**

This Bylaw applies to the keeping and control of dogs on all lands and properties within the boundaries of Lacombe County.

### **3) DEFINITIONS**

- (a) "Altered" means a spayed female or neutered male dog.
- (b) "County" means Lacombe County.
- (c) "County Manager" means the Chief Administrative Officer of Lacombe County and whatever subsequent title may be conferred on that office by Council or Statute, and includes his designate.
- (d) "Dispose" means to place in a waste container or remove to a location where waste is lawfully accepted.
- (e) "Dog" means a member of the species "Canis Lupus Familiaris" (commonly referred to as the domestic dog).
- (f) "Guide Dog" has the same meaning as in the *Blind Persons' Rights Act*.
- (g) "Microchipped" means a dog that has been implanted with a microchip containing a unique identification number that can be read by a scanner and is registered with a recognized pet recovery database.
- (h) "Normal Working Hours" means the office hours of Lacombe County, being 8:00 a.m. to 4:30 p.m., Monday to Friday, excluding statutory holidays.
- (i) "Owner" means:
  - i. a person who has the care, charge, custody, possession or control of a dog or;
  - ii. a person who owns or harbors a dog or;
  - iii. a person who claims and receives a dog from the pound.
- (j) "Peace Officer" means:
  - i. a Police Officer,
  - ii. a person appointed as a Peace Officer pursuant to the *Peace Officer Act*, S.A.2006, c. P-3.5, or

iii. a person appointed as a Bylaw Enforcement Officer pursuant to the *Municipal Government Act, RSA 2000, M-26*.

(k) "Pound" means a place or facility designated by the County Manager for the purpose of holding and caring for any dogs impounded under the provisions of this Bylaw.

(l) "Poundkeeper" means the owner or operator of the pound.

(m) "Running at Large" means a dog that is off the premises of its Owner and is not both on a leash and under the immediate, continuous, and effective control of its Owner or another competent person.

(n) "Service Dog" has the same meaning as in the *Service Dogs Act*;

#### **4) REGULATIONS**

(a) The Owner of a dog is guilty of an offence if such dog:

i. is running at large;

ii. runs or chases any vehicle;

iii. bites, attacks, or runs at any person;

iv. attempts to bite or attack any person;

v. bites, attacks or runs at any animal;

vi. attempts to bite or attack any animal;

vii. is in a prohibited area; or

viii. causes repeated or persistent barking, howling, or other noise that unreasonably interferes with the peace, comfort, or enjoyment of property within the County.

(b) The Owner of a dog shall immediately remove and properly dispose of any feces deposited by the dog on public or private property other than the property of the Owner.

(c) No person shall interfere with, or attempt to obstruct, a Peace Officer or any person acting under the authority of this Bylaw in the performance of their duties.

#### **5) DESIGNATION OF OFF LEASH AREAS**

The County Manager is hereby authorized to designate parts of Lacombe County where dogs are permitted to be off leash.

#### **6) DESIGNATION OF PROHIBITED AREAS**

The County Manager is hereby authorized to designate parts of Lacombe County where dogs are not permitted.

#### **7) LICENSING**

Licensing requirements under this Bylaw apply only to dogs kept within the Hamlet of Mirror.

(a) All dogs over three (3) months of age must be licensed by their Owners.

(b) Dog licenses shall be lifetime licenses and must be obtained from the County Office upon payment of the appropriate fee.

(c) No person shall keep more than two (2) dogs, in accordance with Lacombe County's Land Use Bylaw No. 1237/17.

(d) Each licensed dog shall be issued a tag, and the Owner must securely affix the issued tag to a collar. The collar must be worn by the dog at all times.

- (e) Separate fees apply for altered, unaltered, and microchipped dogs, as well as for replacement tags.

**8) CAPTURE AND IMPOUNDMENT**

A Peace Officer may capture and impound a dog involved in a contravention of this Bylaw.

- (a) In carrying out the capture of a dog, a Peace Officer may use bait, catch poles, live traps, tranquilizer darts, or any other lawful means the Officer deems necessary, provided that:
  - i. the method used is not prohibited by law; and
  - ii. reasonable care is taken to ensure the humane treatment of the dog.
- (b) A person may capture a dog involved in a contravention of this Bylaw where no apparent owner is present and the dog is running at large

**9) RECLAIMING OF IMPOUNDED DOG**

- (a) An impounded dog may be kept at the pound for a period of seventy-two (72) hours (Sundays and statutory holidays not included). During this period, the Owner may reclaim the dog by paying the County, during normal working hours, an impoundment fee and boarding fee, and by paying the Poundkeeper directly any veterinarian fees incurred during the impoundment.
- (b) Any dog not reclaimed by the owner within a period of seventy-two (72) hours from the date of the impoundment (Sundays and statutory holidays not included) may be sold by the Poundkeeper. Any proceeds from the sale of the impounded animals shall be the property of the County.
- (c) Any dog not reclaimed by the owner within a period of seventy-two (72) hours (Sundays and statutory holidays not included) from the date of the impoundment, and not sold by the Poundkeeper, shall become the property of the County which will then instruct the Poundkeeper to destroy or otherwise dispose of the dog with no liability to the owner for the said disposition.

**10) FEES**

Fees related to licensing, impoundment, and boarding are established in Schedule 'B'. No person shall be entitled to a rebate under this Bylaw.

**11) EXEMPTIONS**

- (a) Sections 4(a)(vii) and 7 of this Bylaw do not apply to the following:
  - i. Persons holding an identification card proving ownership of a Service Dog or a Guide Dog for their use; and
  - ii. Government organizations engaged in the provision of specialized Dog services, including but not limited to Service Dogs, Guide Dogs, Police Dogs, or Search and Rescue Dogs.
- (b) Sections 4(a)(i) and 4(a)(viii) do not apply to the following:
  - i. dogs engaged in livestock operations while moving animals between property.
  - ii. dogs actively engaged in the protection of livestock on lands zoned for agricultural use.

**12) OFFENCES**

- (a) Any person involved in a contravention of this bylaw is guilty of an offence and liable upon summary conviction to a fine specified in Schedule 'A' of this bylaw.
- (b) The owner of a dog involved in a contravention of this bylaw is guilty of an offence and liable upon summary conviction to a fine specified in Schedule 'A' of this bylaw.
- (c) Notwithstanding subsections (a) and (b), where a Violation Tag is issued for an offence under this bylaw and the specified penalty is paid within 30 days from the date of issue, the penalty amount identified in Schedule 'A' shall be reduced by 50%, in accordance with section 44 of the *Provincial Offences Procedure Act*.

**13) VIOLATION TAG**

- (a) A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.

**14) VIOLATION TICKETS**

- (a) A Peace Officer is hereby authorized and empowered to issue a violation ticket, pursuant to Part II of the Provincial Offences Procedure Act (Alberta), to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.

**15) SEVERABILITY PROVISION**

- (a) Should any section or part of this bylaw be found to have been improperly enacted, such section shall be deemed to be severable from all other sections of this bylaw.

**16) REPEAL OF BYLAW**

- (a) Bylaw 1224/16 is hereby repealed.


**17) EFFECTIVE DATE**


- (a) This Bylaw will come into effect on the final day of passing and signature thereof.

Read for a first time this 22<sup>nd</sup> day of May, 2025

Read for a second time this 22<sup>nd</sup> day of May, 2025

Read a third time and passed this 22<sup>nd</sup> day of May, 2025.

  
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Reeve

  
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County Manager

SCHEDULE “A”

Specified Penalties

Bylaw Section	Offence	Fine
	General Penalty Section (if not specified)	\$150.00
4(a)(iii), 4(a)(v)	Bites, attacks, or runs at any person or animal	\$500.00
4(a)(iv), 4(a)(vi)	Attempts to bite or attack any person or animal	\$300.00

**SCHEDULE “B”**

**FEES**

	<b><u>FEES</u></b>	<b><u>SECTION</u></b>
Impounding fee	\$175.00	9
Boarding fee (per day for each day of impoundment)	\$30.00	9
Dog license fee:		
(Lifetime)	Altered and Microchipped Dog \$25.00	7
	Altered or microchipped \$75.00	7
	Unaltered and not Microchipped \$150.00	7
Replacement Dog Tag:	\$15.00	7