

VILLAGE OF CLIVE  
By-law #425-99  
Animal Control By-law

**BEING** a By-law for the Village of Clive, Province of Alberta, to provide for the licensing, regulation and control of animals in the Village.

This By-law may be cited as “Animal Control By-law”.  
Now therefore, Council of the Village of Clive enacts as follows:

**SECTION I. INTERPRETATION**

In this By-law unless the context otherwise requires:

Animal or Domestic Animal:	means any tame male/female (canine) dog and/or cat.
Village of Clive:	means the Municipal Corporation of the Village of Clive or the area contained within the Village limits.
Village Council:	means the Village Council for the Municipal Corporation of the Village of Clive in Alberta.
Municipal Administrator:	means the person appointed by Council for the Village of Clive to handle Municipal business for the Village of Clive.
Animal Control/By-law Enforcement Officer:	means a person(s), firm or corporation appointed by the Village of Clive Council, whose duties entail carrying out and enforcing the provisions of this By-law.
Owner:	means the person(s) who has legal title to an animal and includes any person(s) who has possession or custody of an animal either temporarily or permanently, or harbors the animal or suffers the animal to remain on their property; shall be deemed to be the owner.
Former Owner:	means the person(s) who at the time of impoundment was the owner of the animal which has subsequently been sold or destroyed.
License:	means an annual registration fee paid to the Village of Clive upon receipt of said, paid registration, the Village of Clive will provide a current year license tag to the owner.
License Tag:	means a metal tag issued by the Village of Clive to the registered owner of a dog(s) that must be affixed to the animal’s collar worn by such animal at all times.
Running at Large:	means any animal which is off the premises of its’ owner within the corporate limits of the Village of Clive, not on a leash or other immediate, continuous and effective control of a competent person(s), and or its’ owner.
Leash:	means a chain or other commercial device, not longer than fifteen (15’) feet in length, capable of restraining the animal on which it is being used.
Provincial Court:	means the Provincial Court of Alberta, Criminal Division.
Judge:	means as in the Provincial Court Act, R.S.A. 1980, Chapter P-21 as amended or replaced from time to time and the Provincial Court Judges Act , R.S.A. 1980, Chapter P-21 as amended or replaced from time to time.
First Offense:	means anyone who contravenes any provision of this By-law.
Second & Subsequent Offenses:	means any offense that occurs within twelve (12) months or a 365 day period of the preceding offense by the same person(s).

**SECTION II. RESPONSIBILITIES OF DOG OWNERS**

The owner of a dog(s) over the age of 3 months:

- (A) **MUST** register & obtain an annual license as set out in Schedule “A”.

**SCHEDULE “A” MAY BE AMENDED FROM TIME TO TIME BY RESOLUTION OF COUNCIL AS REQUIRED.**

- (B) **ALL** dog licenses **MUST** be purchased prior to January 31<sup>st</sup> of the current year.

- (C) any dog license(s) purchased on/or after the first day of February of each year will be double the licensing fee.

- (D) any new residents of Clive and/or any dog(s) acquired after January 31<sup>st</sup> of any year **MUST** purchase a dog licensing tag within thirty (30) days of becoming a resident of the Village or acquiring a new dog(s).

- (E) any owner who fails to register a dog(s) and pay the annual license fee in accordance with this By-law shall be guilty of an offense and liable to the penalties specified in Schedule “B” of this By-law.

**SCHEDULE “B” MAY BE AMENDED FROM TIME TO TIME BY RESOLUTION OF COUNCIL AS REQUIRED.**

- (F) shall ensure that it is not running at large within the corporate limits of the Village of Clive.

- (G) **MUST** have control at all times when the animal is off the owner’s premises, this requires the dog(s) to be on a leash not longer than fifteen (15’) feet in length.

- (H) shall ensure a current metallic license tag issued is attached to a collar and is worn by such dog(s) at all times when off the owner’s premises.

- (I) shall **NOT** permit their dog(s) to be or become a public nuisance by:

- i) biting, attacking, any person(s), animal(s), bicycle, automobile or any other vehicles.
- ii) chasing or otherwise threatening a person(s), animal(s), bicycle, automobile or any other vehicle whether on the property of the owner or not.
- iii) barking, howling or otherwise disturbing any person(s).
- iv) which defecates on any private or public property other than the property of its owner, shall remove such defecation immediately.
- v) upsetting any waste receptacles, bags or scattering and/or tearing the contents thereof, either in or about a street, lane or other public property, or about premises not belonging to or in possession of the owner of the dog(s).
- vi) **MUST** confine & house a female dog(s) in heat in the residence of the owner or person(s) having control of said dog(s), or taken to a licensed kennel during the whole period that the dog(s) is in heat, except that a female dog(s) may be allowed outside the said residence for the sole purpose of permitting the dog(s) to defecate on the premises of the owner.

- (J) may not leave a dog(s) unattended in or on any motor vehicle, unless said dog(s) is restricted to prevent access to humans or animals as long as such restraint provides for suitable ventilation.

- (K) shall not permit their dog(s) on any School Grounds or Ball Diamonds.

**SECTION III. RESPONSIBILITIES OF THE VILLAGE OF CLIVE**

- (A) The Village of Clive shall keep an up-to-date master register of all dogs over the age of three (3) months within the Village of Clive corporate limits.

- (B) The Village of Clive shall establish a By-law Enforcement/Animal Control Officer. The By-law Enforcement/Animal Control Officer shall make all rules and regulations not inconsistent with this By-law pertaining to the administration of impoundment.

**SECTION IV. COMMUNICABLE DISEASES**

- (A) The owner(s) of any animal(s) suspected of having any communicable disease(s):
- i) shall report the matter to Agriculture Canada, By-law Enforcement/Animal Control Officer or Veterinary Surgeon, and the animal(s) shall be taken to the pound. Upon confirmation by a Veterinary Surgeon, a certificate shall be obtained from such Veterinary Surgeon and it shall be deemed final and conclusive. It is understood that the animal(s) **MUST** be destroyed.
- (B) any owner(s) of an animal(s) that does not comply with the provisions of Section IV (A) (i) , shall be subject to a penalty as provided for in Schedule “B” of this By-law for each consecutive demand made by the By-law Enforcement/Animal Control Officer.

**SECTION V. LICENSING**

- (A) Dog owners shall be limited to only two (2) dogs per residence.
- (B) The owner of any dog(s) over the age of three (3) months in the Village of Clive, must obtain an annual dog license on the first business day of each new year or within thirty (30) days after they become the owner of any dog(s).
- (C) The validity of registration of the dog license so issued shall be valid from January 1<sup>st</sup> to December 31<sup>st</sup> in the year for which it is issued.
- (D) **ALL** annual dog license fees **MUST** be purchased by January 31<sup>st</sup> of each new year, as outlined in Schedule “A”.

**SCHEDULE “A” MAY BE AMENDED FROM TIME TO TIME BY RESOLUTION OF COUNCIL AS REQUIRED.**

- (E) Annual dog licenses purchased **ON/OR AFTER** the first day of February of each new year will be double the licensing fee. (See Schedule “A”).
- (F) Any new resident of the Village of Clive **MUST** obtain a current dog license within thirty (30) days after becoming a resident of the Village of Clive or they will be subject to penalties as outlined in Schedule “B”.

**SCHEDULE “B” MAY BE AMENDED FROM TIME TO TIME BY RESOLUTION OF COUNCIL AS REQUIRED.**

- (G) Dog license fees paid by new residents of the Village only after June 30<sup>th</sup> in the year the dog license is issued will be half the licensing fee. (See Schedule “A”).
- (H) Kennel licenses will only be issued after approval is given by Council, to owner(s) who are raising purebred or show dogs. Written proof **MUST** be supplied by the owner(s).
- (I) No person(s) shall give false information when applying for a dog tag.
- (J) Metallic tags are **NOT** transferable from one dog(s) to another and there will be **NO** license rebate on any paid dog(s) license fee because of death, sale or upon the owner’s leaving the Village before expiration of the license period.
- (K) The owner(s) of a dog(s) shall ensure that their animal is wearing the current licensed metallic tag at all times.
- (L) In case a metallic tag is lost or destroyed, a duplicate will be issued by the Village upon presentation by the owner(s) of a receipt showing payment of the license fee for the current dog license year upon payment of the sum of two (\$2.00) dollars for the issuance of a duplicate.
- (M) Where the Municipal Administrator is satisfied that an owner(s) of a dog (s) is specified as a guide dog (s) or seeing eye dog (s) for the legally blind, no fee payable by the owner(s) for a license is required. The owner(s) will be issued a license **FREE OF CHARGE**.
- (N) Dog licenses and tags of the Village of Clive are not required by person(s) temporarily in the Village of Clive, for a period not exceeding fourteen (14) days. The said period may be extended by receiving written permission from the Municipal Administrator of the Village of Clive.

**SECTION VI. HORSES**

- (A) No person(s) shall allow a horse(s) owned or controlled by them to be in a park, ball diamond, main street or school yard, except with permission granted by the Municipal Administrator for special occasions.
- (B) If a horse(s) defecates on any public road, property or private property, the owner **MUST** remove such defecation immediately.

**SECTION VII. BY-LAW ENFORCEMENT/ANIMAL CONTROL AUTHORITY**

- (A) A By-law Enforcement/Animal Control Officer may capture and impound any dog(s) found running at large.
- (B) No person(s), whether or not they are the owner(s) of a dog(s) which is being or has been pursued or captured shall interfere with or attempt to obstruct a By-law Enforcement/Animal Control Officer who is attempting to capture or who has captured a dog(s) which is subject to impoundment in accordance with the provisions of this By-law.
- (C) No person(s) shall untie, loosen or otherwise free an animal which has been tied or otherwise restrained.
- (D) The owner(s) of any dog(s) impounded may not redeem the same if the impounded dog(s) has been deemed vicious by the By-law Enforcement/Animal Control Officer and had been impounded for being vicious to any person(s) or animal(s).
- (E) If an impounded dog(s) was deemed vicious at the time it was picked up, the By-law Enforcement/Animal Control Officer shall make application under the Dangerous Dog Act for an order directing the dog to be destroyed. No dog(s) having a vicious or annoying record may be resold by the By-law Enforcement/Animal Control Officer.
- (F) The By-law Enforcement/Animal Control Officer shall report any apparent illness, communicable diseases, injury or unhealthy condition of any dog(s) to a veterinarian and act upon his/her recommendations. The owner(s), if known, shall be held responsible for all charged costs resulting.
- (G) The By-law Enforcement/Animal Control Officer may enforce the provisions of this By-law and where he/she has reasonable grounds to believe that a person(s) has committed a breach of any provisions of this By-law, may issue an offense ticket to an owner(s) of a dog(s) alleged to have committed one or more of the offenses hereinbefore described designating the appropriate voluntary penalty as specified in Schedule "B".

**SECTION VIII. PENALTIES**

- (A) Any person(s) who does not pay the voluntary penalty provided and contravenes any provision of this By-law is guilty of an offense and is liable upon summary conviction to a fine of not less than the voluntary penalty plus all solicitor and court costs and not more than fifteen hundred dollars (\$1500.00) plus all solicitor and court costs, incurred by the Village of Clive in prosecution of offenders, and in default of payment is liable to imprisonment for a term not exceeding six (6) months.
- (B) The levying and payment of any fine(s) or the imprisonment for any period provided in this By-law shall not relieve any person(s) from the necessity of paying any fees, charges or costs from which they are liable under the provisions of this By-law.
- (B) A Provincial Court Judge, in addition to the penalties provided in this Section, may consider the offense sufficiently serious and may direct or order the owner(s) of any animal(s) to stop the animal(s) from, doing mischief, causing the disturbance, nuisance complained of, or to have the animal(s) removed from the Village or have the animal(s) destroyed.

**SECTION IX. OTHER CHARGES &/OR PENALTIES**

- (A) Any charges levied by the Animal Control/By-law Enforcement Officer for any service &/or special service(s), shall be paid directly to the Animal Control/By-law Enforcement Service, before the animal(s) is released to the owner(s).

- (B) Any animal(s) that is in Animal Control/By-law Enforcement Services custody and that does not have a current Village of Clive metallic tag fastened to the collar, **MUST** purchase one or prove that one has been purchased from the Village of Clive, &/or the Animal Control/By-law Enforcement Services before the animal(s) is released back to the owner(s).

**SECTION X.**

- (A) Nothing in this By-law shall prevent any person(s) from exercising his/her right to defend any charge laid for committing a breach of any provisions of this By-law, or prevent any Animal Control/By-law Enforcement Officer, Peace Officer, in lieu of servicing an offense ticket, or any other person(s), from laying an Information against any person(s) for committing a breach of any provision of this By-law.

**SCHEDULE “A” AND/OR “B” MAY BE AMENDED FROM TIME TO TIME BY RESOLUTION OF COUNCIL AS REQUIRED.**

This By-law rescinds By-law #414-97 and all other previous By-laws and amendments thereto are hereby repealed.

This By-law shall come into force and effect on final reading thereto.

**READ** a first time this 8<sup>th</sup> day of February, 1999.

**READ** a second time this 8th day of February, 1999.

**GIVEN THIRD AND FINAL READING** a third time and finally passed this 8th day of February, 1999.

---

MAYOR

---

MUNICIPAL ADMINISTRATOR

**SCHEDULE “A”**

**SPECIFIED LICENSING**

1. Annual License if purchased prior to or on January 31<sup>st</sup> of any year:
  - Spayed/Neutered animal (3 months & over) . . . . . \$ 15.00
  - Non-Spayed/Neutered animal (3 months & over) . . . . . \$ 25.00
  
2. Annual License if purchased on/or after the first (1<sup>st</sup>) of February of any year:
  - Spayed/Neutered animal (3 months & over) . . . . . \$ 30.00
  - Non-Spayed/Neutered animal (3 months & over) . . . . . \$ 50.00
  
3. New residents of the Village of Clive:
  - Within Thirty (30) days of becoming a resident of the Village, January 1<sup>st</sup> – June 30<sup>th</sup> of any year :
    - a). Spayed/Neutered animal (3 months & over) . . . . . \$ 15.00
    - Non-Spayed/Neutered animal (3 months & over) . . . . . \$ 25.00
  
  - After Thirty (30) days of becoming a resident of the Village, January 1<sup>st</sup> – June 30<sup>th</sup> Of any year:
    - b). Spayed/Neutered animal (3 months & over) . . . . . \$ 30.00
    - Non-Spayed/Neutered animal (3 months & over) . . . . . \$ 50.00
  
4. Animals acquired on/or after June 30<sup>th</sup> of any year by a new Village resident or any Village resident :
  - a). Spayed/Neutered animal (3 months & over) within Thirty (30) days of acquisition . . . . . \$ 7.50
  - b). Non-Spayed/Neutered animal (3 months & over) within Thirty (30) days of acquisition . . . . . \$ 12.50
  - c). Spayed/Neutered animal (3 months & over) after Thirty (30) days of acquisition . . . . . \$ 15.00
  - d). Non-Spayed/Neutered animal (3 months & over) after Thirty (30) days of acquisition . . . . . \$ 25.00

**OWNERS OF SPAYED/NEUTERED DOGS MUST SUPPLY WRITTEN PROOF UPON REGISTERING.**

5. a). Annual Kennel License . . . . . \$ 50.00
- b). Annual Kennel License if purchased on/or after the first (1<sup>st</sup>) day of February of any year . . . . . \$100.00
  
6. Annual License fee for guide dog of seeing eye dog . . . . . FREE OF CHARGE

**SCHEDULE “B”**  
**SPECIFIED PENALTIES**

THE FOLLOWING SPECIFIED PENALTIES MAY BE ACCEPTED BY THE  
VILLAGE OF CLIVE IN LIEU OF PROSECUTION.

<u>SECTION</u>	<u>OFFENSE</u>	<u>1<sup>ST</sup> OFFENSE</u>	<u>2<sup>ND</sup> &amp; SUBSEQUENT OFFENSES</u>
II (A), (E) V (B)	No registration or annual license	\$ 60.00	\$ 120.00
II (D), V (F)	New residents or residents of new dog(s) Not registered within Thirty (30) days of Acquiring the animal.	60.00	120.00
II (H)	Failure to insure collar & tag is worn by Animal off owners property.	60.00	120.00
II (F)	Running at Large.	60.00	120.00
II (I) (iii)	Excessive barking, howling or disturbing the Peace.	60.00	120.00
II (I) (vi)	Female in heat not confined.	60.00	120.00
II(I) (iv), VI(B)	Failure to remove any animal’s defecation From public/private property.	60.00	120.00
VI (B)	Failure to remove any horse defecation from Public/private property.	80.00	160.00
II (I) (v)	Upsetting/tearing garbage &/or damaging Private/public property.	60.00	120.00
II (J)	Unattended/unrestricted animal in or on vehicle	60.00	120.00
II (I) (ii)	Chasing any person(s), animal(s), etc.	120.00	240.00
II (I) (i)	Attacking or biting any person(s), animal(s) etc.	500.00	1,000.00
V (A)	More than two (2) dogs over the age of three (3) Months per residence.	120.00	240.00
VI (A)	Allowing a horse(s) in a park, ball diamond etc.	60.00	120.00
VIII (B&C)	Interfering with By-law enforcement	120.00	240.00
IV (B)	Not reporting an animal suspected of Communicable diseases.	500.00	1,000.00