

VILLAGE OF GIROUVXILLE

BYLAW No. 05-03

A BY-LAW OF THE VILLAGE OF GIROUXVILLE IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF RESTRAINING AND REGULATING DOGS.

WHEREAS Section 164 of the Municipal Government Act being Chapter M-26 of the Revised Statutes of Alberta 1980 and amendments thereto, provides for regulating and controlling of animals;

AND WHEREAS the Municipal Council deems that it is proper and expedient to restrain and regulate dogs in the Village limits;

NOW THEREFORE the Municipal Council of the Village of Girouxville, in Council duly assembled enacts as follows:

- TITLE:**
1. This By-Law may be cited as the Dog By-Law.
 2. Throughout this By-Law the following definitions shall apply:
 - a) "OWNER" means a person having legal title to a dog in question and includes a person whose name the dog is registered and any other person who has possession or custody of the dog or any person who harbours, houses, or permits such dog to be upon his property.
 - b) "PEACE OFFICER" means a member of the Royal Canadian Mounted Police.
 - c) "RUNNING AT LARGE" means a dog which is not confined within the limits of a building, fence or other enclosure of the owner and is not on a leash.
 - d) "VILLAGE" means the Municipal Corporation of Girouxville or the corporate limits of the Village of Girouxville.
 - e) "Village Official" means the By-Law Enforcement Officer as appointed by the Village of Girouxville or his appointed delegate.
- LICENSE FEES:**
3. The owner of every dog shall obtain an annual license for such dog between the 1st and 31st days of January in every calendar year. The annual fee payable by the owner shall be set out in Schedule "B" of this By-Law
- REGULATING:**
4. Every person who brings an unlicensed dog into the Village for a period exceeding two (2) weeks, or becomes the owner of an unlicensed dog, shall immediately obtain an annual license and pay the fee required by Schedule "B" of this By-Law.

5. The keeping of dogs in numbers greater than two (2), shall be considered operating a kennel. In such cases, the provisions of the current Land Use By-Law shall apply.
6. No owner shall permit any dog to be at large within the corporate limits of the Village of Girouxville and when any dog is found to be at large, its owner shall be deemed to have contravened this section.
7. Any dog found to be running at large shall be forthwith impounded by the Village Official or a Peace Officer and kept in the custody of the Village of Girouxville pound.
8. If a dog defecates on any public or private property other than the property of its owner, the owner shall cause such defecation to be removed immediately and deposit it in a suitable waste receptacle.

If a dog defecates on its owner's property to the extent that excessive smell results or that the owner's property is declared to be untidy pursuant to By-Law No. 325, the owner shall immediately remove the defecation and dispose of it in a suitable waste receptacle.

9. The owner of a dog may reclaim his dog subsequent to the payment of:
 - i) The current license fee if the individual is a resident of Girouxville and if the same has not been previously paid; And
 - ii) a fine as specified as per attached Schedule "A" and
 - iii) a fee for service as specified in Schedule "B".
10. i) When a dog has been in the Pound for seventy-two (72) hours or more and the owner of the dog has not reclaimed it in accordance with Section 4 of this By-Law, the Village Official may
 - a) destroy the dog, or
 - b) retain the dog in the Pound for such further period of time as the Village Official may think advisable in the circumstances.
 - ii) Where the owner of an impounded dog has advised the Village Official that he has no further interest in the dog, the Poundkeeper may destroy the dog or offer the dog for sale to a person other than the owner at the price stipulated in Schedule "A" to this By-Law notwithstanding that the dog may then have

been in the Pound less than seventy-two (72) hours. In which case, the owner must sign a "Destruction or Disposal of Dog" form (Schedule "C").

iii) Where the owner of a dog advises the Village of Girouxville Official that he has no further interest in the dog and requests the Village Official to pick up the dog and take it to the Pound, the Village Official shall comply with such request upon receipt from the owner of the fee for this Pick Up Charge as stipulated in Schedule "B" to this By-Law, as soon as practicable having regard to human resources available to the Poundkeeper and the space available for dogs in the Pound.

iv) For the purpose of calculating the length of time a dog has been impounded, Saturday, Sundays and Statutory holidays shall not be included in the calculation.

v) Whenever the Village Official destroys a dog in accordance with the provisions of the By-Law, the owner shall be liable to pay the fee for Destruction of dog as stipulated in Schedule "B" to this By-Law and in every case where the said fee has not been paid prior to the destruction of the dog, the Village Official may present the owner with a bill or invoice therefore which shall be paid in full by the owner within thirty (30) days of receipt the bill or invoice.

FINES:

11. i) Where the Village Official or any By-Law Enforcement Officer, or Peace Officer has reasonable and probable grounds to believe that any person has contravened any provision of this By-Law, he may serve upon such person a written violation notice either personally or by mailing the said violation notice to the person in respect of which it is issued addressed to last known address of the person, and service of the violation notice as provided for in this subsection shall be deemed adequate for the purpose of this By-Law.

ii) A violation notice issued pursuant to the provisions of this section shall be in such form as directed from time to time by the By-Law Enforcement Officer, provided that the violation notice shall state the section of this By-Law which was alleged to have been contravened and the amount as provided for in Schedule "A" to this By-Law which will be accepted by the Village in lieu of prosecution.

iii) If payment is received by the Village from or on behalf of a person in respect of whom a

violation notice has been issued under this section:

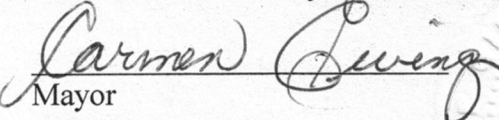
- a) in the amount set out on the violation notice as the sum the Village will accept in lieu of prosecution, and
 - b) within seven (7) days from service upon such person in any manner permitted under this Section, then that person shall thereafter not be liable to be prosecuted for the occurrence of transaction in respect of which the violation notice was issued.
12. In this By-Law, the singular may be read as though the plural were expressed and the masculine gender may be read as though the feminine or neuter were expressed, wherever the context in which this By-Law has application so requires.
13. It is the intention of the Council of the Village that each separate provision of this By-Law shall be deemed independent of all other provisions, and it is further the intention of the Council that if any provision of the By-Law be declared invalid for any reason by a Court of competent jurisdiction, then all other provisions of this By-Law shall remain valid and enforceable.


REPEALS:

13. By-Law number 328 of the Village of Girouxville is hereby repealed.

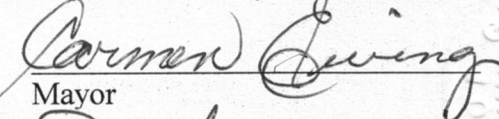
EFFECTIVE DATE: 15. This By-Law shall come into effect on the 1st day of January, 2006.


Read a First Time this 14th day of December, 2005


Mayor

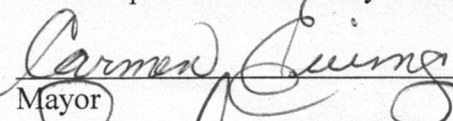

Municipal Administrator

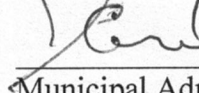
Read a Second Time this 14th day of December, 2005


Mayor


Municipal Administrator

Read a Third Time and passed this 14th day of December, 2005


Mayor


Municipal Administrator

**VILLAGE OF GIROUXVILLE
BYLAW No. 05-03**

**SCHEDULE "A"
FINES**

Section of Bylaw	Nature of Violation	Fines for a first or second or subsequent offence per calender year.	
		First Offence	Second or Subsequent Offence
3.	Failure to obtain	\$25.00	
4.	Keep or harbour excessive number of dogs.	\$25.00	\$50.00
6.	Dogs running at Large.	\$25.00	\$50.00
8.	Dogs defecating at at large or excess defecation on private property.	\$25.00	\$50.00

**VILLAGE OF GIROUXVILLE
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**SCHEDULE "B"
FEES**

SERVICE	AMOUNT
1. Annual licensing fee:	
a) Male	\$20.00
b) Spayed Female	\$20.00
c) Non-Spayed Female	\$25.00
2. Care and sustenance (per day)	\$ 5.00
3. Veterinary Expenses	Actual Fee
4. Destruction of dog	\$10.00
5. Purchase of dog	\$ 5.00
6. Pick-up charge	\$25.00

VILLAGE OF GIROUXVILLE
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SCHEDULE 'C'
DESTRUCTION OR DISPOSAL OF DOG

I, _____ of _____
(Name) (Address)

in the Village of Girouxville, in the Province of Alberta, request that the Village Official destroy or dispose of the following described animal:

And hereby:

- (1) Certify that I own the said animal or have authority from the owner to have it:
 1. destroyed;
 2. disposed of;
- (2) Agree to indemnify and save the Village of Girouxville harmless from any and all claims or actions that may arise as a result of this request.
- (3) I agree to pay the Village of Girouxville:
 1. A fee of \$10.00 during normal business hours for the services herein requested.

DATED at the Village of Girouxville, in the Province of Alberta, this

_____ day of _____, 20_____.