

**SUMMER VILLAGE OF ISLAND LAKE**  
(hereinafter referred to as the “Summer Village”)

**ANIMAL CONTROL BYLAW**

**IN THE PROVINCE OF ALBERTA**

**BY-LAW 05-2023**

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BEING A BY-LAW OF THE SUMMER VILLAGE OF ISLAND LAKE TO REGULATE AND CONTROL ANIMALS WITHIN THE LIMITS OF THE SAID SUMMER VILLAGE.

WHEREAS, under the provisions of the Municipal Government Act, being Chapter M26 of the Revised Statutes of Alberta, January 1, 2023, and amendments thereto, Council may pass a by-law authorizing regulation and control of animals within the boundaries of the said Summer Village; and

WHEREAS, the Council of the Summer Village of Island Lake deemed it proper and expedient to pass a by-law to regulate and control animals within the boundaries of the said Summer Village;

NOW THEREFORE, under the authority and subject to the provisions of Section 164 of the Municipal Government Act, being Chapter M26 of the Revised Statutes of Alberta, 2000, and amendments thereto, the Council of the Summer Village of Island Lake, in the Province of Alberta, duly assembled enacts as follows:

**TITLE**

- 1) This by-law may be cited as the “Animal Control Bylaw”.

**DEFINITIONS**

- 2) In this Bylaw:

- a) “Animal” means any dog or cat.
- b) “Animal Control Officer” means any person, firm or corporation appointed by Council to administer and enforce the provisions of this Bylaw.
- c) “Bylaw Enforcement Officer” means a person appointed by the Summer Village Council pursuant to the provisions of Section 39 of the Police Act of Alberta.
- d) “Cat” means a member of the species *Felis Catus*, commonly referred to as the domestic, house, farm or feral cat.
- e) “Council” means Council of the Summer Village of Island Lake.
- f) “Dog” means a member of the species *Canis Lupus Familiaris* commonly referred to as the domestic dog.
- g) “Owner” means:
  - i) in the case of land, any person registered under the Land Titles Act as the owner of the fee simple estate in a parcel of land; or

- ii) in the case of personal property, any person who has lawful possession or the right to exercise control over it or to be the registered owner of it and, for greater certainty includes any person:
  - (1) who has the care, charge, custody, possession or control of an animal.
  - (2) who owns or claims a proprietary interest in an animal.
  - (3) who harbors, suffers, or permits an animal to be present on any property owned or under their control.
- h) "Peace Officer" has the same meaning as in the Provincial Offences Procedures Act.
- i) "Person" means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative.
- j) "RUNNING AT LARGE" – means an animal which is not on a leash and/or under the control of a person that is responsible and is actually upon property other than the property of the animal's owner.

#### RUNNING AT LARGE:

- 3) Within the boundaries of the Summer Village of Island Lake.
  - a) The boundaries of the above-mentioned Summer Village shall be the same as those shown in the Land Use By-law 08-2021.
  - b) No person or persons owning, harboring or having charge or custody of any animal shall allow such animal to run at large within the limits of the above referenced Summer Village.

#### NUISANCE

- 4) The owner of an animal shall not permit the animal to be or become a public nuisance by:
  - a) biting, barking at, or chasing a pedestrian
  - b) biting or barking at or chasing livestock, bicycles, automobiles, or other vehicles;
  - c) barking, howling, or otherwise disturbing any person,
  - d) causing damage to property or other animals

#### LIMIT OF NUMBER

- 5) No person shall keep or have more than four (4) animals (dogs and/or cats) on any land, house, shelter, room, place, building, structure, or property within the Village, unless:
  - a) The dogs or cats in excess of the limit are under six (6) months of age and are the off spring of a dog or cat residing at the same location;
  - b) The owner of the dog or cat that is in excess of the limit is temporarily visiting a resident of the Village.

#### NEGLECT OR ABUSE

- 6) A person who owns or is in charge of an animal(s):
  - a) must ensure that the animal(s) has adequate food and water,
  - b) must provide the animal(s) with adequate care when the animal(s) is wounded or ill,
  - c) must provide the animal(s) with reasonable protection from injurious heat or cold, and
  - d) must provide the animal(s) with adequate shelter, ventilation and space.

- e) and all other provisions as per the Alberta Animal Protection Act – Chapter A-41 and amendments thereto.

#### AUTHORITY TO IMPOUND

- 7) A Bylaw Enforcement Officer, or a Peace Officer may capture and impound any animal in respect of which he/she believes or has reasonable grounds to believe an offense under this by-law is being or has been committed.
- 8) A Bylaw Enforcement Officer, Peace Officer, or any person authorized by this by-law to enforce the provisions contained herein may enter onto any public or private land surrounding any buildings in pursuit of any animal/animals which have been Running at Large.
- 9) Any animal so impounded may be confined in an authorized pound or veterinary clinic, where it shall remain for a period of up to 72 hours after which it shall be disposed of as hereinafter set forth, unless previously redeemed.
- 10) Provided that, where an animal running at large cannot be captured after reasonable diligence, the same may be destroyed by a Bylaw Enforcement Officer or other person authorized by Council.
- 11) Impoundment Fees and Charges
  - a) Before the owner of an animal that is impounded obtains possession of the animal, they shall pay to the Animal Control Officer of Summer Village of Island Lake, in addition to any penalties provided herein within Section 6, the following costs and fees:
    - i) All Veterinarian fees
    - ii) All Boarding fees
    - iii) Any additional costs

Any animal not so redeemed may be sold by the pound keeper to any person paying the fees and costs, as herein provided, and any animal not so redeemed or sold, shall be destroyed by the application of a humane form of euthanasia.

#### SUMMARY CONVICTION

- 12) A person who contravenes a provision of this Bylaw by doing something which he/she is prohibited from doing, or by failing to do something which he/she is required to do, or by doing something in a manner different from that in which he/she is required or permitted to do in this Bylaw,
  - a) is subject to a fine of one hundred dollars (\$100.00) for the first offence, two hundred (\$200) for the second offence, and five hundred (\$500) for each subsequent offence, per animal, per incident.
  - b) The levying and payment of any fine for any period provided in this By-law shall not relieve a person from the necessity of paying any fees, charges or costs for which he/she is liable under the provisions of this By-law.

- c) In addition to the penalties provided in this Section, a Provincial Judge may, if the offence under this Bylaw is considered sufficiently serious, direct or order the person that owns, keeps, maintains, or harbors such animal or animals to have the animal(s) permanently removed from the Summer Village or to have the animal(s) destroyed by the application of a humane form of euthanasia.

RABIES OR COMMUNICABLE DISEASES

- 13) In the event of an outbreak or a threatened outbreak of rabies, or any disease affecting dogs and/or cats which may be transmitted to human beings, Council may by resolution, order and direct that all dogs and/or cats shall be securely tied up by the respective owner(s) or shall otherwise be effectively confined and prevented from being at large, within the Summer Village of Island Lake. Any dog and/or cat found at large is in contravention of this section and shall be impounded or destroyed.

COMING INTO FORCE

- 14) That Bylaw 05-2012 is hereby repealed.
- 15) THAT this by-law shall be effective as, on and from the date of final passing.
- 16) THAT this bylaw shall come into force on the date of final passing.

READ A FIRST TIME this 16th day of January 2024.

READ A SECOND TIME this 20<sup>th</sup> day of February 2024.

With the unanimous consent of all council Members present,

READ A THIRD TIME AND FINALLY PASSED the 20<sup>th</sup> day of February 2024.

ORIGINAL SIGNED

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MAYOR

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MUNICIPAL ADMINISTRATOR