BYLAW #1731
OF THE
MUNICIPAL DISTRICT OF WAINWRIGHT NO.61
IN THE PROVINCE OF ALBERTA

A BYLAW OF THE MUNICIPAL DISTRICT OF WAINWRIGHT NO.61 IN THE PROVINCE OF ALBERTA PROVIDING FOR THE CONTROLLING OF DOGS WITHIN THE SAID MUNICIPALITY.

WHEREAS **THE MUNICIPAL GOVERNMENT ACT. RSA 2000, c. M-26 AS AMENDED OR REPEALED AND REPLACED FROM TIME TO TIME, PROVIDES THAT A COUNCIL MAY PASS BYLAWS FOR MUNICIPAL PURPOSES RESPECTING WILD AND DOMESTIC ANIMALS AND ACITVITES IN RELATION TO THEM;**

AND WHEREAS **the Council of the M.D. of Wainwright deems it advisable to pass an amended bylaw for restraining and regulating the running at large of dogs and the impoundment and disposal of dogs running at large within the M.D. of Wainwright**

NOW THEREFORE the Municipal Council of the M.D. of Wainwright duly assembled enacts as follows:

1. **SHORT TITLE:**

1. This bylaw may be cited as **"The Dog Control Bylaw".**

2. **DEFINITIONS:**

2. In this bylaw unless the context otherwise requires:

2.1 "Animal Rescue" means the business or premises whose purpose is the rehabilitation, rescue and adoption of pets.

2.2 "At Large" means a dog that is any place other than the property of the owner or that of an adult person the owner has placed in charge of the dog and that is not being carried or restrained on a Permitted Leash attached to a choke chain, collar, gentle leader, or harness securely attached to the dog and accompanied by a person old enough and strong enough to effectively control the movements of the dog.

2.3 "Attack" means a dog aggressively making contact with a person, livestock, or pet but does not draw blood with its claws or teeth.

2.4 "Attack severely" or "severe attack" means an attack where the dog draws blood with its claws or teeth.

2.5 "Council" means the Council of the Municipal District of Wainwright.

2.6 "Damage to Private Property" means any damage done to plants or fixtures on public or private property while a dog is at large or is not effectively restrained.

2.7 "Dog" means a domesticated dog, regardless of the sex of the dog.

2.8 "Enforcement Officer" or "Dog Control Officer" or "Bylaw Officer" means any Peace Officer or any other person appointed by Council to enforce the provisions of this bylaw, including employees of the Municipality, and may include the RCMP.

2.9 "Excessive barking" means continuously for more than several hours in a patterned behavior.

2.10 "Kennel" means any place owned by one or more persons or corporations engaged in the commercial business of breeding, buying, selling, training, or boarding pets; and includes a Boarding Kennel.

2.11 "MA" means the Municipal Administrator of the Municipal District of Wainwright.

2.12 "M.D." means the Municipal District (of Wainwright).

2.13 "Motor Vehicle" means a vehicle that is powered by other than muscle power and includes mopeds and motorized mobility equipment such as wheelchairs.

2.14 "Muzzle" means a device attached to the face or nose of a dog that prevents the dog from the ability to grasp things in its mouth, and may include a properly fitted gentle leader (head halter).

2.15 "Owner" unless the context otherwise requires, means any person, partnership, association or corporation who has legal title or possession of a dog or who harbors, feeds, keeps, or shelters a dog, or has been assigned by the owner to have the care or control of a dog.

2.16 "Permitted Leash" means a leash composed of a material that cannot be chewed through easily, and that is of sufficient strength to control the dog; such leash shall not be longer than 1.5 meters.

2.17 "Persistent Barking" means barking for longer than 30 seconds at a time frequently throughout the day and/or night.

2.18 "Pound" means a place, designated by Council and/or the M.D. of Wainwright Administration, where dogs that have been seized may be kept.

2.19 "Pound keeper" means any person appointed by the MA to keep a pound for the purpose of controlling and disposing of dogs that have been seized.

2.20 "Property Owner" means a person or persons having a legal or equitable interest in any land or building and shall be responsible for the actions of any tenant, resident, or occupier of such land or building.

2.21 "Secure Enclosure" means that a dog is controlled in a pen, cage, or other structure from which it cannot jump, push, or dig its way out.

2.22 "Vicious Dog" means:

a) Any dog with a known propensity, tendency, or disposition to attack, without provocation, other domestic animals and humans, and/or

b) Any dog that has inflicted a Serious Would (severely attack) upon a human or other domestic animal while At Large, or while on the owners property and/or

c) Any dog that has been the subject of an Order issue by an Enforcement Officer or the Courts within the Dominion of Canda.

2.23 "Violation tag" means a ticket or similar document issues by the M.D. pursuant to the Municipal Government Act, RS.A. 2000, c. M-26, as amended or replaced and appealed from time to time.

2.24 "Violation ticket" means a ticket issued pursuant to the Provincial Offenses Procedures Act, RSA2000. C P-34 and regulations there under, as amended or replaced and repealed from time to time.

2.25 "Warning Sign" means a clear sign mounted at the gate to an enclosure that contains a dog that may, or is known to, act aggressively to a person entering.

3. DOMESTIC DOG REGULATIONS:

3.1 No owner shall cause, allow or permit their dog to be on any property not their own unless:

a) A leash of sufficient strength to restrain the dog, and no longer than 1.5 meters, is securely attached to the dog, and

b) The leash is being held by a person able to restrain the dog, or

c) The leash is securely tied to a stationary object that cannot be moved by the dog, and

d) The dog cannot interfere with normal human traffic.

e) Exception: the owner of the property has granted express permission to the owner of the dog to access the property without the above requirements.

3.2 No owner shall cause, allow or permit their dog while on property not their own to:

a) Bark excessively at any person, livestock, or pet, or

b) Chase a vehicle or

c) Threaten, attack, or severely attack any person, or

d) Chase, challenge, attack, or severely attack any pet or livestock owned or being kept by another person, or

e) Cause any damage or nuisance on any property owned or maintained by another person or business, or

f) Run at large

3.3 No owner shall cause, or allow or permit another person to cause, their dog to be or remain on any private property without having first obtained the permission of the owner of said property.

3.4 No owner shall cause, allow or permit their dog to bark or yelp or howl excessively or persistently or in any other manner disturb the quiet of any person.

3.5 No owner shall allow a dog to damage private or public property.

3.6 No owner shall allow a dog to enter a private property, or a property owned or maintained by the Municipality displaying a sign prohibiting dogs.

3.7 No person shall interfere with, hinder or impede a Dog Control or Bylaw Officer in the performance of any duties authorized in this bylaw.

4. AUTHORITY OF AN ENFORCEMENT OFFICER:

4.1 Any dog at large may be captured and seized by any Dog Control Officer or Enforcement Officer and placed in a pound as provided for in this bylaw.

4.2 A Dog Control Officer may use any means necessary to capture and seize a dog at large, provided that:

a) No dog shall be seized on private property without the permission of the owner of said property, except in case of fresh pursuit and it is definitely known that the property is not that of the owner of the dog, and

b) Every reasonable precaution is taken to avoid causing any injury or bodily harm to such dog.

4.3 Every dog seized under this bylaw shall, as soon as practical, be taken to the prescribed pound and restrained therein.

4.4 No person shall in any way interfere with or obstruct a Dog Control Officer or dog catcher who has seized or is attempting to seize a dog at large.

4.5 The owner of such dog may redeem the dog by signing a Claim and Release Form as approved by the MA and pay any associated penalties.

4.6 No person shall release or attempt to release a dog that has been seized except as otherwise provided in this bylaw.

4.7 If a dog on an owner's private property is in distress and

a) The owner does not forthwith take steps that will relieve its distress, or

b) The owner cannot be found immediately and informed of the dog's distress, then

An Enforcement Officer or Dog Control Officer may, with the assistance or permission of a member of the Royal Canadian Mounted Police, take any action they consider necessary to locate the animal and relieve its distress, including taking the dog into custody, pursuant to the Animal Protection Act.

5. POUND

5.1 A pound keeper shall:

a) Receive and impound any dog seized under the provisions of this bylaw, and

b) Keep a record of such dog on a form approved by the MA, and

c) Ensure that any dog so impounded is provided with sufficient food and potable water to maintain the health and comfort of the dog, and

d) Provide the services of a veterinarian, as soon as practical, for any dog which appears to be ill or injured, and

e) Before releasing a dog, receive confirmation from the MA or their designate that all fines and penalties have been paid, and

f) Ensure that no dog, while impounded, is unnecessarily mistreated.

5.2 Any dog that has been placed in a pound shall be kept therein for a period of up to three clear days, exclusive of Saturdays, Sundays and statutory holidays unless sooner claimed by the owner or otherwise disposed of in accordance with this bylaw.

5.3 All fines not already paid to the M.D., fees and costs, as applicable, shall be paid by cash or equivalent to the pound keeper prior to release to the owner of any dog.

5.4 In any case, where a dog is found to be ill or has been injured and it has been determined by a veterinarian or other competent person that the dog should be destroyed to prevent needless suffering, the dog may be destroyed as soon as practical.

5.5 Any dog that has been impounded for longer than the period of time prescribed in this bylaw may at the discretion of the pound keeper:

a) Be sold at a price approved by the MA or designate, and may be an amount to cover the cost of the impoundment, provided that the dog is not sold to the owner or to any other person representing the owner, or

b) Be transferred to an animal rescue organization, or

c) Be destroyed by a veterinarian.

5.6 The pound keeper shall, if the dog being impounded is wearing a tag or any other identification, make a conscientious effort to notify the owner that the dog has been impounded and give said owner three clear business days excluding weekends and statutory holidays to claim the dog before disposing of same.

5.6.a Exceptions may be granted at the discretion of the MA or their designate.

5.7 The pound keeper shall submit all monies, copies of receipts and invoices, covering all transactions for previous work, to the MA if any were incurred.

6. OFFENCES AND PENALTIES:

6.1 Any person who contravenes any section of this bylaw is guilty of an offence and liable, on summary conviction before a Provincial Court Judge, to fines as listed in Schedule A of this bylaw.

6.2 Notwithstanding Section 6.1 of this bylaw, any person who commits a second or subsequent offense under this bylaw within a period of 12 (twelve) months of the first offence may be liable to a fine double the amount set out in Schedule A of this bylaw.

6.3 Provincial Judge, in addition to the penalties provided in this bylaw, may direct or order the owner of the dog

a) To prevent such animal from doing mischief, or causing a disturbance, or nuisance complained of, and/or

b) To have the dog destroyed or removed from the M.D., and/or

c) To comply with any other relevant sections of this bylaw, and/or

d) In any other manner deemed appropriate.

6.4 Notwithstanding Section 6.3 of this bylaw, an Enforcement Officer may issue a violation tag to a person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw:

a) Specifying a payment as described in Schedule A of this bylaw; and

b) The person to whom the violation tag is issued may, in lieu of being prosecuted for the offence, pay to the M.D. or the Enforcement Officer the penalty specified within the time period indicated on the violation tag.

6.5 A violation tag shall be deemed to have been sufficiently served if:

a) Served to the accused directly, or

b) Mailed to the address of the registered owner of the vehicle or person occupying a property, or

c) Secured to the vehicle or property in respect of which the offense is alleged to have been committed, or

d) Left with the Pound for payment prior to a captured dog being released.

6.6 Where a violation tag has been issued and the penalty specified on the violation tag has not been paid within the prescribed time, then:

a) An Enforcement Officer may issue a violation ticket specifying that a payment be made as described in Schedule A of this bylaw, or

b) The M.D. may initiate Court proceedings.

6.7 Notwithstanding sections 6.3 through 6.6 of this bylaw, an Enforcement Officer may immediately issue a violation ticket to any person who the Enforcement Officer has reasonable grounds to believe has contravened any provisions of this bylaw, specifying that

a) A payment be made as described in Schedule A of this bylaw; or

b) If it is in the public interest to compel the accused to appear before a Judge, issue a summons respecting any offense for which a payment may be made requiring the accused to appear before a Provincial Court Judge on the initial appearance date without the alternative of making a payment.

6.8 The levying and payment of any fines shall not relieve a person from the necessity of

a) Immediately remedying the situation that created the violation, or

b) Paying any other fees, charges or costs for which they are liable under the provisions of this bylaw.

6.9 Where a contravention of this bylaw is of a continuing nature, further violation tags or tickets may be issued by an Enforcement Officer, provided however, that no more than one violation tag or ticket shall be issued for each day the contravention continues.

7. SEVERABILITY PROVISION

7.1 If any provision of this bylaw is declared invalid because of any word, phrase, clause, sentence, paragraph, or section of this bylaw or any docuemets which form part of this bylaw or an application thereof to any person or circumstance is declared invalid, the remaining provisions shall not be affected thereby but shall remain in force.

8. ATTACHEMENTS

8.1 SCHEDULE A and B shall be included as part of this bylaw.

9. REPEAL

9.1 M.D. of Wainwright bylaw# 1710 is hereby repealed.

10. EFFECTIVE DATE

10.1 This bylaw shall take effect on the date of passing thereof:

Received First, Second and by Unanimous Consent, Third and Final Reading and was done and passed in Council this 19th day of May, A.D. 2026.

Municipal Administrator

Reeve

SCHEDULE A

PENALTIES

SECTION	OFFENCE	PENALTY ($)
1. GENERAL		
1.1	Dog, while not on owner's property:	
1.1 a)	excessively bark	100
1.1.b)	chase vehicle/bicycle/horse drawn vehicle	100
1.1.c)	threaten/ chase/ attack/ severely attack a person	100/ 200/500/1000
1.1.d)	chase/challenge/attack/severely attack a pet or livestock	100/100/200/500
1.1 e)	cause damage/nuisance to property	200
1.1. f)	run at large	200
1.2	Allow dog on private property without owner's permission	100
1.3	Allow dog to howl/bark excessively or persistently	200
1.4	Dog damages private or public property	200
1.5	Dog on posted private or public property	200
1.6	Interfere with Dog Control Officer	250

SCHEDULE B

FEES

SECTION	DESCRIPTION	FEE ($)
1	Impoundment fees payable to M.D. (in addition to any fees charged by Pound)	
1.a	Dog	50
1.b	Vicious Dog	250
2	Boarding Fee	10/day