

**BYLAW 2024-03**

**A BYLAW OF THE TOWN OF CANMORE, IN THE PROVINCE OF ALBERTA, TO  
PROVIDE FOR THE LICENSING AND CONTROL OF ANIMALS**

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The Council of the Town of Canmore, in the Province of Alberta, duly assembled, enacts as follows:

**TITLE**

- 1 This bylaw shall be known as “Animal Control Bylaw 2024-03”.

**INTERPRETATION**

- 2 In this bylaw:

- (a) “At Large” means when a Domestic Animal is not restrained by a Leash and securely held by a Person capable of exercising control over the Domestic Animal at any place other than on the Premises of the Owner or on private property to which the Owner has the right of occupation;
- (b) “Attack” means an assault resulting in one or more of the following injuries:
- (i) bleeding,
  - (ii) bone breakage,
  - (iii) lacerations,
  - (iv) sprains, or
  - (v) bruising.
- (c) “Behaviour Assessment” means an assessment of a Dog’s temperament performed by a Dog Trainer holding a Certified Behaviour Consultant Canine-Knowledge Assessed (CBCC-KA) certification or other such certification as the chief administrative officer may approve;
- (d) “Cat” means any domesticated cat or kitten;
- (e) “Communicable Disease” means any disease or illness that may be transferred from a Domestic Animal or Prohibited Animal to another Domestic Animal or Prohibited Animal or a human through direct or indirect contact;
- (f) “Domestic Animal” means any animal normally kept for domestic purposes or a household pet including but not limited to Dogs, Cats, rabbits, or ferrets;
- (g) “Dog” means any domesticated dog or puppy, Foster Animal that is a Dog, and Vicious Dog;

- (h) "Dog Trainer" means a Person certified through the Certification Council of Professional Dog Trainers or such other certifications as the chief administrative officer may approve;
- (i) "Dwelling Unit" means a self-contained room or suite of rooms not available for public use, which normally provide for sleeping, washing, sanitary and kitchen facilities, and which are intended for residential use;
- (j) "Enforcement Appeal Review Committee" means the Enforcement Appeal Review Committee established by Bylaw 2022-11 as amended;
- (k) "Feral Animal" means an animal that has escaped from domestication and become wild;
- (l) "Foster Animal" means a Domestic Animal that a Person is caring for on behalf of an animal rescue organization for a temporary period of time until the Domestic Animal is adopted through the animal rescue organization;
- (m) "Highway" has the same definition as in the *Traffic Safety Act*, R.S.A. 2000 Chapter T-6, and any amendments thereto;
- (n) "In Season" means the period of time in which a female Dog is in a state of sexual receptivity;
- (o) "Leash" means a chain or other material which is capable of being attached to and restraining the Domestic Animal upon which it is being used;
- (p) "Licence" means a Licence issued under this bylaw;
- (q) "Licence Tag" means the identification tag issued by the Town showing the Licence number for a specific Dog or Cat and is intended to be worn on a collar attached to the Dog or Cat's neck at all times when the Dog or Cat is off of the Owner's Property;
- (r) "Muzzle" means a device of sufficient strength placed over a Dog's mouth to prevent it from biting;
- (s) "Motor Vehicle" has the same definition as in the *Traffic Safety Act*, R.S.A. 2000 Chapter T-6, and any amendments thereto;
- (t) "Nuisance Animal" means a Domestic Animal that has been declared a Nuisance Animal by the chief administrative officer under Part 3 of this bylaw;
- (u) "Off Leash Area" means an area designated by the chief administrative officer where a Dog is permitted but is not required to be restrained by a Leash;



- (v) "Owner" means any one or more Persons who meets one or more of the following:
  - (i) has possession of a Domestic Animal or Prohibited Animal either temporarily or permanently;
  - (ii) is named on a Licence;
  - (iii) has care, charge, custody, possession or control of the Domestic Animal or Prohibited Animal, either temporarily or permanently;
  - (iv) is in actual or apparent possession or control of the Domestic Animal or Prohibited Animal, either temporarily or permanently; or
  - (v) harbors a Domestic Animal or Prohibited Animal, or allows a Domestic Animal or Prohibited Animal to be present on any property owned or under their control.
- (w) "Owner's Property" means any property to which the Owner is the registered owner or an occupant pursuant to a lease, rental or licence to occupy agreement;
- (x) "Peace Officer" means:
  - (i) a Person appointed as a bylaw enforcement officer pursuant to the *Municipal Government Act*, R.S.A 2000, Chapter 26, as amended;
  - (ii) a Person appointed as a Peace Officer pursuant to the *Peace Officer Act*, R.S.A. 2006, Chapter P3.5, as amended; or
  - (iii) a police officer.
- (y) "Person" means any individual, firm partnership, association, corporation, trustee, executor, administrator, or other legal representative;
- (z) "Premises" means any dwelling, building and any parcel or lot of real property or a portion thereof;
- (aa) "Prohibited Animal" means:
  - (i) any exotic animal or alien, non-indigenous or non-native species not customarily confined or cultivated by humans;
  - (ii) a cow, goat, pig, or sheep;
  - (iii) a duck, goose, chicken, or turkey;
  - (iv) a pigeon;
  - (v) a rat;

- (vi) any Wildlife; or
- (vii) any Feral Animal;
- (bb) "Remedial Order" means an order issued pursuant to Section 545 of the *Municipal Government Act*, R.S.A 2000, Chapter 26, and any amendments thereto;
- (cc) "Secure Enclosure" means a building, pen, or fenced area which is secured and constructed in such a manner that it will not allow the Domestic Animal to jump, climb, dig or otherwise escape nor will it allow the entry of unauthorized Persons into the enclosure unless the unauthorized Person forces their way into the enclosure, and which conforms with the following minimum requirements:
  - (i) the Secure Enclosure shall have secure sides and a secure top. If the Secure Enclosure has no bottom secured to the sides, the sides of the Secure Enclosure must be embedded into the ground to a minimum depth of thirty (30) centimetres;
  - (ii) the Secure Enclosure must be located not less than one (1) metre away from the property line of the Owner's Property and not less than five (5) metres away from a Dwelling Unit located on any adjacent property; and
  - (iii) the Secure Enclosure must be of adequate size for the Domestic Animal, permitting the Domestic Animal to stand, sit, lie down, and turn around comfortably.
- (dd) "Severe Injury" means any injury that requires medical attention excepting wound cleaning and basic first aid and includes: wounds requiring sutures or surgery, disfiguring or scarring lacerations, broken bones, severe sprains, any other similar serious injury, or death;
- (ee) "Town" means the Town of Canmore;
- (ff) "Town Shelter" means the Premises designated by the Town for impoundment and care of Domestic Animals;
- (gg) "Unsanitary Condition" means an excessive accumulation of fecal matter, an objectionable odour, or insect or rodent infestation, that has been determined by a Peace Officer to be a danger, or potential danger, to the health, comfort, or well-being of any Domestic Animal or Person;
- (hh) "Vicious Dog" means a Dog that has been declared to be a Vicious Dog by the chief administrative officer under Part 4 of this bylaw or by the Enforcement Appeal Review Committee or a Dog that has been previously determined Vicious Dog under Animal Control Bylaw 10-2011;
- (ii) "Vicious Dog Warning Sign" means a sign having a white background with the following dimensions and particulars:
  - (i) the sign is not less than thirty (30) centimetres tall,

- (ii) the sign is not less than twenty (20) centimetres wide, and
  - (iii) having the Warning statement in a red background with white block lettering and having the words "Vicious Dog on Premises" using red block lettering not less than three (3) centimetres tall.
  - (jj) "Violation Tag" means a municipal tag or similar document issued by a Peace Officer in relation to an offence under this bylaw;
  - (kk) "Violation Ticket" means a ticket issued pursuant to the *Provincial Offences Procedures Act*, R.S.A. 2000 Chapter P-34, as amended, and the regulations thereunder;
  - (ll) "Wildlife" has the same meaning as defined in the *Wildlife Act*, R.S.A. 2000 Chapter W-10 as amended, and the regulations thereunder;
- 3 Where a bylaw references a Town staff position, department or committee, the reference is deemed to be to the current name that the staff position, department or committee is known by.

**PART 1  
REGULATION OF ANIMALS**

**Dogs Requirements for Licence**

- 4 No Person shall own or keep any Dog within the Town unless the Dog is Licensed as provided for in this bylaw.
- 5 The Owner of a Dog must be eighteen (18) years of age or older.
- 6 The Owner of a Dog shall pay a Licence Fee as set out in Schedule "A" of the bylaw.
- 7 When applying for a Licence under this bylaw, the Owner shall provide information on a form prescribed by the chief administrative officer.
- 8 An Owner of a Domestic Animal shall forthwith notify the Town of any change with respect to any information provided in an application for a Licence under this bylaw.
- 9 An Owner of a Dog must ensure that the Licence Tag is securely fastened to a collar or harness that is worn by the Dog at all times when the Dog is not on the Owner's Property.
- 10 The provisions of Sections 4 to 9 inclusive will not apply to any qualified guide and service Dogs, any service Dog used by a Peace Officer, certified search and rescue Dogs, Dogs under the care of an animal rescue, SPCA, or Humane Society, or Dogs under the age of three (3) months;
- 11 Section 4 does not apply to Dogs accompanying a Person in Town for ninety (90) cumulative days or less in any calendar year.

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**Nuisance Animals Requirement for Licence**

- 12 No Person shall own or keep any Nuisance Animal within the Town unless the Nuisance Animal is Licensed as provided in this bylaw.
- 13 A Nuisance Animal that is Licensed as a Nuisance Animal is not eligible for a discounted Licence pursuant to the Town's affordable service program.

**Vicious Dogs Requirement for Licence**

- 14 No Person shall own or keep any Vicious Dog within the Town unless the Dog is Licensed as provided for in this bylaw.
- 15 A Dog that is Licensed as a Vicious Dog is not eligible for a discounted Licence pursuant to the Town's affordable service program.

**Cats Voluntary Licence**

- 16 An Owner of a Cat may voluntarily Licence their Cat for a one-time fee as set out in Schedule A of this bylaw. This voluntary Licence will enhance the Town's ability to ensure the safe return of a Cat should it come into the possession of the Town.
- 17 The Owner of a Cat must be eighteen (18) years of age or older.

**Cats Nuisance Licence**



- 18 If a Cat has been deemed a Nuisance Animal under Section 57 of this bylaw the Owner of the Cat is required to obtain a Nuisance Animal Licence under Section 12 of this bylaw.

**Licence Fee**

- 19 The Licence fees for a Cat, Dog, Nuisance Animal and Vicious Dog are set out in Schedule A.
- 20 There shall be no licence fee for a Foster Animal.
- 21 No Person shall be entitled to a Licence fee refund under this bylaw.
- 22 Licences are non-transferable.

**Limits on Cats and Dogs**

- 23 No Person shall own more than three (3) Dogs and four (4) Cats that are more than three months of age.
- 24 No Person shall permit more than three (3) Dogs and four (4) Cats that are more than three months of age to reside in a Dwelling Unit in the Town.
- 25 Section 23 does not apply to veterinary clinics, kennels, or the Bow Valley Society for the Prevention of Cruelty to Animals.

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- 26 Sections 23 and 24 do not apply to any Owner that owns more than three (3) Dogs which were licensed prior to this bylaw coming into force, provided the Owner does not foster, adopt, breed, or purchase more Dogs.
- 27 Sections 23 and 24 do not apply to any Owner that owns more than four (4) Cats and can prove ownership prior to this bylaw coming into force, provided the Owner does not foster, adopt, breed, or purchase more Cats.

**PART 2**  
**RESPONSIBLE PET OWNERSHIP**

**At Large**

- 28 No Owner shall allow a Domestic Animal to be At Large within the Town.
- 29 No Person shall, without the express or implied permission of the Owner, untie, loosen, or otherwise free a Domestic Animal from any restraint, or negligently or willfully open or leave open a gate door or other opening in a fence or enclosure in which a Domestic Animal has been confined.
- 30 A Person who assumes control over a Domestic Animal found to be At Large and who is unable to locate or determine the Owner shall forthwith notify a Peace Officer, provide the Peace Officer with any required information, and if requested by the Peace Officer, surrender the Domestic Animal to the Peace Officer.

**Confining Domestic Animals with Communicable Diseases**

- 31 An Owner of a Domestic Animal or Prohibited Animal who knows or suspects that the animal has a Communicable Disease must:
- (a) immediately report the Communicable Disease to a Peace Officer if the Domestic Animal or Prohibited Animal has been in contact with other Domestic Animals while symptoms were present;
  - (b) confine and isolate the Domestic or Prohibited Animal during the period such Person knows or suspects that the animal has a Communicable Disease in a manner that will prevent further spread of the disease and in a manner prescribed by law; and
  - (c) follow the direction of a veterinarian or any government officials who have authority to issue any related orders or directions.
- 32 Any Person who keeps any Domestic or Prohibited Animal and who knows or suspects that that animal has rabies shall immediately report this information to a Peace Officer and a veterinarian.

**Defecation**

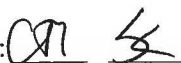
- 33 An Owner whose Domestic Animal defecates on any private or public property including public property where Dogs are permitted to be off leash, other than the Owner's private property, shall immediately remove such feces and place it into an animal proof container or animal proof enclosure.
- 34 No Owner shall permit their private property to be or remain in an Unsanitary Condition at any time.

**Dogs in Off Leash Areas**

- 35 Notwithstanding section 28, the chief administrative officer may designate public property where Dogs are permitted to be off leash and may post signs indicating such a designation.
- 36 On public property where Dogs are permitted to be off leash, an Owner of a Dog must, at all times:
- (a) supervise and control the Dog;
  - (b) ensure the Dog responds to voice, sound, or sight commands; and
  - (c) ensure that the Dog comes when called.
- 37 An Owner of a Dog that is off leash while in an Off Leash Area shall carry an appropriate Leash for the Dog on the Owner.
- 38 No Person shall bring more than three (3) Dogs in their care and control to a non-fenced Off Leash Area.
- 39 A Peace Officer may, upon forming the reasonable opinion that a Dog in an Off Leash Area appears to be In Season or that any Person who has the custody of a Dog in an Off Leash Area is in contravention of any provision of this bylaw, verbally direct the Person to:
- (a) restrain the Dog by means of a Leash; or
  - (b) remove the Dog from the Off Leash Area; or both.
- 40 Upon being removed from an Off Leash Area pursuant to Section 39, no Person shall return to the Off Leash Area within seventy-two (72) hours of being removed.
- 41 Any Person who fails to comply immediately with the direction of a Peace Officer made in accordance with Section 39 is guilty of an offence.

**Animals Prohibited in Off Leash Areas**

- 42 No Person shall permit a Dog In Season, a Dog suffering from a Communicable Disease, or a Vicious Dog to be present in an Off Leash Area.

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**Domestic Animals in Motor Vehicles**

43 An Owner of a Domestic Animal left unattended in a Motor Vehicle shall ensure the Domestic Animal:

- (a) is restrained in a manner that prevents contact between the Domestic Animal and any Person, Wildlife, or Domestic Animal;
- (b) has suitable ventilation and water; and
- (c) is not endangered by weather conditions.

44 Notwithstanding Section 43, no Owner shall allow a Dog to be outside of the passenger cab of a Motor Vehicle while on a Highway including in the back of a pickup truck or on the flat bed of a truck, regardless of whether the Motor Vehicle is moving or stationary, unless the Dog is:

- (a) in a fully enclosed trailer having adequate ventilation;
- (b) in a topper enclosing the bed area of the truck having adequate ventilation;
- (c) contained in a ventilated kennel or similar device securely fastened to the bed of the truck; or
- (d) securely tethered in such a manner that it is not standing on bare metal, cannot jump or be thrown from the vehicle, is not in danger of strangulation, and cannot reach beyond the outside edges of the vehicle.

**Domestic Animals in Prohibited Areas**

45 The chief administrative officer may post signs indicating any areas which are owned or controlled by the Town where Domestic Animals are not permitted.

46 No Owner shall permit any Domestic Animal to enter or remain in or on any area where Domestic Animals are prohibited by a posted sign.

**Duty to Report a Domestic Animal Bite**

47 An Owner must make a report within twenty-four (24) hours if the Owner's Domestic Animal bites a Person, another Domestic Animal, Feral Animal or Wildlife by:

- (a) Providing the Owner's name and the Domestic Animal Licence number to the Person who was bit or whose Domestic Animal was bit; and
- (b) Reporting the Owner's name and the Domestic Animal Licence number to a Peace Officer.

**Excessive Barking**

- 48 An Owner shall ensure a Dog does not bark, howl, or otherwise behave in a manner that is likely to disturb the peace, enjoyment, comfort, or convenience of another individual.
- 49 In determining whether barking, howling or behaviour is likely to disturb the peace, enjoyment, comfort, or convenience of another individual, consideration may be given, but is not limited, to the following:
- (a) proximity of the property where the Dog resides;
  - (b) duration of the barking, howling or behaviour;
  - (c) time of day and day of the week when the barking, howling or behaviour occurs;
  - (d) nature and use of the surrounding area; and
  - (e) any effect of the barking, howling or behaviour.

**Prohibited Animals**

- 50 No Person shall own, have in their possession, keep, cause, suffer to be kept, or have on any Premises with a municipal address at any time, a Prohibited Animal.
- 51 Notwithstanding Section 50, chickens are permitted only at Canmore Collegiate High School under the following conditions:
- (a) the maximum number of chickens cannot exceed twelve (12);
  - (b) Canadian Rockies Public Schools staff must comply with the *Alberta Animal Health Act* and any other applicable standards adopted by the Province of Alberta; and
  - (c) Canadian Rockies Public Schools staff must comply with regulations as set out by the chief administrative officer.

**Threatening Behaviour**

- 52 No Owner shall allow a Domestic Animal to display, without provocation, the following threatening behaviour:
- (a) bark at or chase in a threatening manner, growl, lunge, snarl, or otherwise threaten any Domestic Animal or Feral Animal;
  - (b) bark at or chase in a threatening manner, growl, lunge, snarl, or otherwise threaten any Wildlife;
  - (c) bark at or chase in a threatening manner, growl, lunge, snarl, or otherwise threaten a Person or Persons, whether on the property of the Owner or not, unless the Person chased or

threatened is a trespasser on the property of the Owner;

- (d) bite a Domestic Animal, Feral Animal or Wildlife, whether on the property of the Owner or not;
- (e) do any act other than biting or Attacking, that injures a Person or Persons whether on the property of the Owner or not;
- (f) bite a Person or Persons, whether on the property of the Owner or not, unless the Person bitten is a trespasser on the property of the Owner;
- (g) Attack a Person or Persons, whether on the property of the Owner or not, unless the Person Attacked is a trespasser on the property of the Owner;
- (h) bite or Attack a Person or Persons, whether on the property of the Owner or not, causing Severe Injury;
- (i) cause Severe Injury to a Domestic Animal, Feral Animal or Wildlife;
- (j) cause damage to public or private property.

53 A Vicious Dog exhibiting threatening behaviour in accordance with section 52 shall be fined the amount set out in Schedule C.

#### **Unattended Dogs**

- 54 An Owner of a Dog must ensure that such Dog is not left unattended while tethered or tied on Premises where the public has access, whether the right of access is express or implied.
- 55 An Owner of a Dog must ensure that such Dog is not left tethered or tied up in a residential yard unless the Owner is outside with the Dog at all times, or the Owner is able to maintain visual contact with the Dog at all times.
- 56 An Owner of a Dog must not allow the Dog, when tethered or tied up in a residential yard, to get closer than 1 meter to the property line.

### **PART 3 NUISANCE ANIMALS**

#### **Nuisance Animals**

- 57 The chief administrative officer may declare a Domestic Animal to be a Nuisance Animal as a result of at least two (2) or more offences of Sections 28, 36, 48, 52, 54, 55 and 56 of this bylaw.
- 58 The chief administrative officer may impose certain conditions as deemed appropriate relating to the control of the Nuisance Animal both on private and public property.

- 59 If the chief administrative officer determines that a Domestic Animal is a Nuisance Animal, they must, in writing, provide the Owner with the reasons for that decision and:
- (a) list the conditions imposed that are reasonably necessary to reduce the nuisance posed by such Nuisance Animal; and
  - (b) require the Owner to Licence the Domestic Animal as a Nuisance Animal.
- 60 The Owner of a Nuisance Animal must comply with any conditions imposed by the chief administrative officer.
- 61 The chief administrative officer can add or remove any conditions at any time after designating a Domestic Animal as a Nuisance Animal on written notice to an Owner.
- 62 The Owner of the Nuisance Animal who fails to comply with the written decision of the chief administrative officer pursuant to Section 58 is guilty of an offence.
- 63 An Owner may apply to have the Nuisance Animal designation lifted no more than once per year by written appeal to the chief administrative officer.

#### **Appeal**

- 64 An Owner who disagrees with:
- (a) a decision of the chief administrative officer to designate the Owner's Animal a Nuisance Animal;
  - (b) a decision of the chief administrative officer to confirm the designation of an Animal as a Nuisance Animal following an annual written appeal; or
  - (c) a condition imposed by the chief administrative officer under section 58;
- may appeal that decision in accordance with Enforcement Appeal Review Committee Bylaw 2022-11.

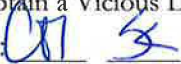
### **PART 4 REGULATION OF VICIOUS DOGS**

#### **Vicious Dog Provisions**

- 65 All provisions of this bylaw apply to Vicious Dogs. However, where the bylaw provides for more stringent regulations in relation to Vicious Dogs than other sections of this bylaw, the more stringent regulations shall prevail in relation to a Vicious Dog.

#### **Designating a Dog a Vicious Dog**

- 66 The chief administrative officer may designate a Dog to be a Vicious Dog, and require an Owner to obtain a Vicious Dog licence for such dog where:

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- (a) the Dog has caused Severe Injury to a Person;
- (b) the Dog has caused Severe Injury to another Domestic Animal;
- (c) the Dog has caused Severe Injury to Wildlife;
- (d) the Dog has exhibited threatening behaviour in accordance with section 52, whether on the Owner's Property or other public or private property; or
- (e) there are reasonable and probable grounds to believe the Dog poses a risk to the health and safety of Persons in the Town.

**Notices and Submissions**

67 Where the chief administrative officer is considering designating a Dog as a Vicious Dog, the chief administrative officer must:


- (a) send written notice to the Owner of the reason why the designation is being considered;
- (b) provide an opportunity to the Owner to make written submissions within fourteen (14) days of receipt of the notice whether such Dog should be designated a Vicious Dog; and
- (c) consider any written submission made by the Owner and any information provided from a Peace Officer obtained from any investigation conducted pursuant to this Bylaw involving such Dog, whether for the incident precipitating the consideration of the designation or an earlier incident involving the Dog.

**Seizure Pending a Decision**

68 The chief administrative officer may order the Owner of a Dog alleged to be a Vicious Dog to surrender the Dog to a Peace Officer and the Dog shall be taken and held at the Town Shelter or another location determined suitable by the chief administrative officer at the Owner's cost pending the outcome of the chief administrative officer's decision on whether the Dog should be designated a Vicious Dog and any related appeals.

69 The chief administrative officer may allow the Owner to keep possession of a Dog alleged to be a Vicious Dog pending the outcome of the chief administrative officer's decision and any related appeals, with contain and control conditions which in the opinion of the chief administrative officer ensure the safety of the public.

70 The Owner of a Dog shall comply with a surrender order made by the chief administrative officer, or any contain and control conditions prescribed by the chief administrative officer.



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**Designation Decision**

- 71 Where the chief administrative officer has decided to designate a Dog as a Vicious Dog, the designation decision must be sent to the Owner, with the reasons for making that decision, and shall bring into force all of the requirements in sections 73 to 79 inclusive.
- 72 A Vicious Dog order pursuant to this bylaw continues to apply if the Dog is sold, given, or transferred to a new Owner.

**Conditions on Vicious Dogs**

- 73 Prior to a Licence being issued, the Owner of a Vicious Dog shall within ten (10) days after the Animal has been declared a Vicious Dog:
  - (a) have a licensed veterinarian tattoo or implant an electronic identification microchip in or on the Vicious Dog identifying the Dog with a unique identifier and provide the information contained on the tattoo or in the microchip to the chief administrative officer; and
  - (b) if the Vicious Dog is not spayed or neutered have the Vicious Dog spayed or neutered.
- 74 The Owner of a Vicious Dog shall:
  - (a) forthwith notify the chief administrative officer should the Vicious Dog die, be sold, gifted, or transferred to another Person, or move out of the Town of Canmore;
  - (b) disclose that a Dog has been deemed a Vicious dog when selling, giving away, or transferring that Dog to a new Owner;
  - (c) disclose a Vicious Dog designation to any Person the Owner temporarily asks to take temporary care and control of the Vicious Dog, such as dog walkers, groomers, kennel operators, and veterinarians; and
  - (d) remain liable for the actions of the Vicious Dog until formal notification of sale, gift or transfer is given to the chief administrative officer.
- 75 The Owner of a Vicious Dog shall immediately notify the RCMP of the Vicious Dog being At Large.
- 76 The Owner of a Vicious Dog shall ensure that when such Vicious Dog is on the property of the Owner such Vicious Dog is:
  - (a) confined indoors; and
  - (b) under the control of a Person eighteen (18) years of age or older capable of controlling the Vicious Dog when there are children or visitors present;

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- (c) when such Dog is outdoors, the Owner of a Vicious Dog shall ensure that:
- (i) the Dog is locked in a Secure Enclosure in order to prevent escape of the Vicious Dog, and capable of preventing the entry of any Person not in control of the Vicious Dog; or
  - (ii) securely Muzzled and under the control of a Person who is at least the age of eighteen (18) years and capable of controlling the Vicious Dog, by means of a Leash not exceeding one (1) metre in length in a manner that prevents the Dog from chasing, injuring, Attacking or biting Persons or other Domestic Animals, Feral Animals or Wildlife as well as preventing damage to public or private property.

77 Within ten (10) days of the Dog being declared a Vicious Dog by the chief administrative officer, the Owner of the Dog is required to display a Vicious Dog Warning Sign at each entrance to the Premises where the Vicious Dog is kept and on the Secure Enclosure or other structure in which the Vicious Dog is confined. Such sign shall be posted to be clearly visible and capable of being seen by any Person accessing the Premises.

78 The Owner of a Dog that is determined to be a Vicious Dog shall have liability insurance specifically covering any damages for personal bodily injury (including sickness/death), and or property damage to others caused by the Vicious Dog in an amount not less than One Million (\$1,000,000) Dollars. The Owner shall provide proof of insurance to the reasonable satisfaction of the chief administrative officer within ten (10) days of the Dog being declared a Vicious Dog.

79 Vicious Dogs are not allowed in Off Leash Areas.

**Additional Conditions on the Owner of a Vicious Dog**

80 The chief administrative officer may impose one or more of the following conditions on the Owner of a Vicious Dog:

- (a) require the Owner to attend dog behaviour training conducted by a Dog Trainer approved by the chief administrative officer within thirty (30) days of the Dog being declared a Vicious Dog, unless otherwise approved by the chief administrative officer and
  - (i) provide the chief administrative officer written confirmation of who is performing the training and when the training will be taking place;
  - (ii) complete the quantity of training recommended by the Dog Trainer; and
  - (iii) provide proof of attendance at the training and successful completion of the training within ten (10) days of completion; and
  - (iv) provide the chief administrative officer with any further written recommendation provided by the Dog Trainer.

- (b) require the Owner to modify the Owner's Property in some manner to reduce the risk of the Vicious Dog leaving the Owner's Property and being At Large.
- (c) any other additional condition that is similar to the above and, in the opinion of the chief administrative officer, is reasonable and necessary to ensure the health and safety of Persons in the Town.

**Appeal**

81 An Owner who disagrees with

- (a) a decision of the chief administrative officer to designate the Owner's Dog a Vicious Dog;  
or
- (b) a condition imposed by the chief administrative officer under section 80;

may appeal that decision in accordance with Enforcement Appeal Review Committee Bylaw 2022-11.

82 Nothing in this bylaw precludes the chief administrative officer from applying for a Vicious Dog to be destroyed pursuant to the *Dangerous Dogs Act*, R.S.A. 2000, Chapter 0-3, and any amendments thereto.



**PART 5**

**ADMINISTRATION, ENFORCEMENT, PENALTIES and ORDERS**

**Authority of a Peace Officer**

83 A Peace Officer is authorized to capture, seize, impound and deliver to the Town Shelter, any Domestic Animal which:

- (a) is found to be At Large;
- (b) has caused or is alleged to have caused a Severe Injury to a Person, Domestic Animal, Feral Animal or Wildlife;
- (c) has engaged or is alleged to have engaged in any threatening behaviour in accordance with section 52 pending either:
  - (i) the outcome of the chief administrative officer's determination on whether the Dog should be designated as a Vicious Dog and pending any related appeal to the Enforcement Appeal Review Committee; or
  - (ii) pending a court's determination as to whether the Dog should be destroyed pursuant to the *Dangerous Dogs Act*, R.S.A. 2000, Chapter 0-3, and any amendments thereto.

Bylaw approved by:  



- (d) has been left unsupervised while tethered or tied on private property;
  - (e) is abandoned subject to the provisions of the *Animal Protection Act*, R.S.A 2000, Chapter A-41, and any amendments thereto; or
  - (f) is in distress on any land or in any vehicle or other place subject to the provisions of the *Animal Protection Act*, R.S.A 2000, Chapter A-41, and any amendments thereto.
- 84 A Peace Officer is authorized to capture, seize, impound any Prohibited Animal and deliver it to the Town Shelter or an alternate location approved by the chief administrative officer.
- 85 A Peace Officer is further authorized to take reasonable measures as necessary to subdue and control the Domestic Animal or Prohibited Animal without injuring or causing undue distress to the Domestic Animal or Prohibited Animal in the process of capturing, seizing and impounding the Domestic Animal or Prohibited Animal including but not limited to the use of tranquilizer equipment and other capture devices.
- 86 If any Domestic Animal is injured, a Peace Officer may, without liability to the Peace Officer or recourse from the Owner, and in the sole and absolute discretion of the Peace Officer, take the impounded Domestic Animal to a veterinarian for treatment and then to the Town Shelter, the costs all of which will be borne by the Owner.
- 87 A Peace Officer is authorized to arrange for a Behaviour Assessment to be conducted in relation to any Dog which has been seized, captured, impounded, or surrendered pursuant to this bylaw.
- 88 A Peace Officer is authorized to issue a Remedial Order to an Owner of any Domestic Animal which has exhibited threatening behaviour in accordance with section 52, caused, or is alleged to have caused a Severe Injury, or has otherwise contravened any section of this bylaw. The Remedial Order may:
- (a) Direct the Owner to stop doing something or change the way in which the Owner is doing it;
  - (b) Direct the Owner to take any action or measures necessary to remedy the contravention of this bylaw including but not limited to:
    - (i) submitting the Dog for a Behaviour Assessment;
    - (ii) complying with any recommendations made by the Dog Trainer who conducted the Behaviour Assessment;
    - (iii) attending training sessions with the Dog conducted by a Dog Trainer;
    - (iv) requiring secure fencing on the Owner's Property that includes security measures such as a locked gate; or

- (v) taking any such quarantine measures as the Peace Officer deems necessary;
  - (c) state a time within which the Owner must comply with the directions, and
  - (d) state that if the Owner does not comply with the directions within a specified time, the Town will take the action or measure at the expense of the Owner.
- 89 Any Person who receives a Remedial Order may request a review of the Remedial Order in accordance with Enforcement Appeal Review Committee Bylaw 2022-11.

**Impoundment of Domestic Animals**

- 90 Except for dogs seized pursuant to section 68 awaiting decision by the chief administrative officer, all impounded Domestic Animals may be kept in the Town Shelter for a period of seventy-two (72) hours. During this period, any Domestic Animal may be claimed by its Owner, except as otherwise provided in this bylaw, upon payment to the Town of:
- (a) the impoundment fee as set out in Schedule A;
  - (b) the Licence Fee, if necessary, as set out in Schedule A; and
  - (c) the cost of any veterinarian treatment incurred in relation to the Domestic Animal.
- 91 Any Person seeking to reclaim or who is responsible for a Domestic Animal or Prohibited Animal must provide a Peace Officer with sufficient proof of ownership of the Domestic Animal or Prohibited Animal.
- 92 Any Person seeking to reclaim a Prohibited Animal must contact the chief administrative officer and provide evidence satisfactory to the Town that the Prohibited Animal will be permanently removed from the Town of Canmore jurisdiction immediately upon the Owner reclaiming the Prohibited Animal from the Town or Town Shelter.
- 93 At the expiration of the seventy-two (72) hour period, the Town is authorized to:
- (a) surrender the Domestic Animal to an adoption facility;
  - (b) continue to impound the Domestic Animal for an indefinite period of time or for such further period of time as a Peace Officer, in their discretion, may decide. The Owner will be liable to pay the Town all of the costs incurred by the Town under this bylaw in respect of such actions; or
  - (c) destroy the Domestic Animal in a humane manner.
- 94 Notwithstanding anything in this bylaw, nothing shall prevent a Domestic Animal or Prohibited Animal from being humanely euthanized at any time due to physical illness or injury upon the recommendation of a licensed veterinarian.

**Obstruction and Interference**

- 95 No Person, whether or not that Person is the Owner of a Domestic Animal or Prohibited Animal which is being or has been pursued or captured shall:
- (a) interfere with, obstruct, or attempt to obstruct a Peace Officer who is attempting to capture or who has captured a Domestic Animal or Prohibited Animal;
  - (b) open a vehicle in which a Domestic Animal or Prohibited Animal has been placed for impoundment or seizure or otherwise release a Domestic Animal or Prohibited Animal from capture; or
  - (c) remove, or attempt to remove, any Domestic Animal or Prohibited Animal from the possession of a Peace Officer.

**False Information**

- 96 No Person shall provide false or misleading information to any Peace Officer or the chief administrative officer.

**Enforcement and Penalties**

- 97 Any Person who contravenes any provision of this bylaw is guilty of an offence and upon conviction shall be liable for a minimum penalty in accordance with Schedules B and C of this bylaw, and not exceeding \$10,000.
- 98 Any Person who contravenes any provision of this bylaw for which a penalty is not set out in Schedule B or C of this bylaw is liable to a minimum penalty of \$250.
- 99 A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any Person, who a Peace Officer has reasonable and probable grounds to believe has contravened any provision of this bylaw.
- 100 A Violation Tag may be issued to such Person:
- (a) either personally; or
  - (b) by mailing a copy to such Person at their last known address.
- 101 The Person to whom a Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Violation Tag.
- 102 If the penalty specified on a Violation Tag has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket.

103 Notwithstanding section 99 of this bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person who a Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.

104 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw.

**Enactment/Transition**

105 If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

106 An existing Licence issued under Animal Control Bylaw 10-2011 remains valid until the terms of such Licence expires.

107 Any Domestic Animal that was deemed to be a Nuisance Animal or Vicious Dog under Animal Control Bylaw 10-2011 shall continue to be deemed a Nuisance Animal or Vicious Dog pursuant to this bylaw.

108 Schedules A, B, and C form part of this bylaw.

109 Section 37 of Bylaw 2022-11 and Bylaws 10-2011, 20-2011, 2016-08, and 2017-19 are repealed.

110 This bylaw comes into force on the date it is passed.

FIRST READING: March 5, 2024

SECOND READING: March 5, 2024

THIRD READING: March 5, 2024


Approved on behalf of the Town of Canmore:

  
Sean Krausert  
Mayor

March 6, 2024  
Date

  
Cheryl Hyde  
Manager, Municipal Clerk's Office

March 6, 2024  
Date

Bylaw approved by:  

**SCHEDULE A  
FEES**

**A. LICENCE FEES**

All Licence Fees are subject to providing proof, from a licensed veterinarian, of immunization from rabies and distemper.

Dog – one (1) year Licence – Affordability Program Eligible	\$ 0.00
Dog – one (1) year Licence	\$ 55.00
Dog – three (3) year Licence	\$ 110.00
Nuisance Animal – one (1) year Licence	\$ 100.00
Vicious Dog – one (1) year Licence	\$ 300.00
Replacement Tag	\$ 10.00
Cat Licence – Affordability Program Eligible	\$ 0.00
Cat Licence	\$ 25.00
Foster Animal	\$0.00

**B. IMPOUNDMENT FEES**

Impoundment fee	\$ 50.00 + kennel fee
Kenneling fee	\$ 30.00
(per day or portion thereof: to commence at midnight of day of impoundment)	


**C. VETERINARY SERVICES**

As incurred

Bylaw approved by: CTT SA

**SCHEDULE B  
PENALTIES**

Section	Description	Penalty
4	Unlicensed Dog	\$100
9	Dog not wearing tag	\$75
12	Unlicensed Nuisance Animal	\$200
28	At Large	\$250 – First offence \$500 – Second offence \$1,000 – Third and subsequent offences
46	Domestic Animal in area where prohibited by sign	\$250 – First offence \$500 – Second offence \$1,000 – Third and subsequent offences
48	Barking that disturbs the peace of another individual	\$250 – First offence \$500 – Second offence \$1,000 – Third and subsequent offences
50	Keep Prohibited Animal	\$500
52(a)	Domestic Animal bark at or chase in a threatening manner, growl, lunge, snarl, chase or otherwise threaten any Domestic Animal or Feral Animal	\$250 – First offence \$500 – Second offence \$1,000 – Third and subsequent offences
52(b)	Domestic Animal bark at or chase in a threatening manner, growl, lunge, snarl, otherwise threaten any Wildlife	\$750 – First offence \$1,500 – Second offence \$2,500 – Third and subsequent offences
52(c)	Domestic Animal bark at or chase in a threatening manner, growl, lunge, snarl, otherwise threaten a Person or Persons, whether on the property of the Owner or not	\$350 – First offence \$700 – Second offence \$1,000 – Third and subsequent offences
52(d)	Domestic Animal Bite a Domestic Animal, Feral Animal or Wildlife	\$350 – First offence \$700 – Second offence \$1,000 – Third and subsequent offences
52(e)	Domestic Animal do any act other than biting or Attacking, that injures a Person or Persons whether on the property of the Owner or not	\$500 – First offence \$1,000 – Second offence \$1,500 – Third and subsequent offences
52(f)	Domestic Animal Bite a Person whether on the property of an Owner or not	\$750 – First offence \$1,500 – Second offence \$3,000 – Third and subsequent offences
52(g)	Domestic Animal Attack a Person whether on the property of the Owner or not	\$750 – First offence \$1,500 – Second offence \$3,000 – Third and subsequent offences

Bylaw approved by: 

Section	Description	Penalty
52(h)	Domestic Animal bite or Attack a Person causing Severe Injury	\$1,000 – First offence \$2,000 – Second offence \$4,000 – Third and subsequent offences
52(i)	Domestic Animal Cause Severe Injury to a Domestic Animal, Feral Animal, or Wildlife	\$1,000 – First offence \$2,000 – Second offence \$4,000 – Third and subsequent offences
95(a)	Obstruct or attempt to obstruct a Peace Officer	\$500
95(b)	Open a vehicle or otherwise release	\$500
95(c)	Remove or attempt to remove from possession of a Peac Officer	\$500
96	Provide false information to a Peace Officer	\$500

Bylaw approved by:  

**SCHEDULE C**  
**VICIOUS DOG PENALTIES**

<b>Section</b>	<b>Description</b>	<b>Penalty</b>
9	Vicious Dog not wearing tag	\$150
14	Unlicensed Vicious Dog	\$600
28	Vicious Animal At Large	\$1000 – First offence \$2000 – Second offence \$3000 – Third and subsequent offences
46	Domestic Animal in area where prohibited by sign	\$250 – First offence \$500 – Second offence \$1000 – Third and subsequent offences
52(a)	Domestic Animal bark at or chase in a threatening manner, growl, lunge, snarl, chase or otherwise threaten chase any Domestic Animal or Feral Animal	\$500 – First offence \$1000 – Second offence \$2000 – Third and subsequent offences
52(b)	Domestic Animal bark at or chase in a threatening manner, growl, lunge, snarl, chase or otherwise threaten any Wildlife	\$1500 – First offence \$3000 – Second offence \$5000 – Third and subsequent offences
52(c)	Domestic Animal bark at or chase in a threatening manner, growl, lunge, snarl, chase or otherwise threaten a Person or Persons, whether on the property of the Owner or not	\$700 – First offence \$1400 – Second offence \$2000 – Third and subsequent offences
52(d)	Bite a Domestic Animal, Feral Animal or Wildlife	\$700 – First offence \$1400 – Second offence \$2000 – Third and subsequent offences
52(e)	Domestic Animal injure a Person whether on the property of an Owner or not	\$1,000 – First offence \$2,000 – Second offence \$3,000 – Third and subsequent offences
52(f)	Domestic Animal Bite a Person whether on the property of an Owner or not	\$1,500 – First offence \$3,000 – Second offence \$5,000 – Third and subsequent offences
52(g)	Domestic Animal Attack a Person whether on the property of the Owner or not	\$1,500 – First offence \$3,000 – Second offence \$5,000 – Third and subsequent offences
52(h)	Domestic Animal Bite or Attack a Person causing Severe Injury	\$2,000 – First offence \$4,000 – Second offence \$8,000 – Third and subsequent offences
52(i)	Cause Severe Injury to a Domestic Animal, Feral Animal, or Wildlife	\$2,000 – First offence \$4,000 – Second offence \$8,000 – Third and subsequent offences

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Section	Description	Penalty
68	Not Surrendering a Dog	\$1,500
74(a)	Fail to notify sale, gift, transfer or death of Vicious Dog	\$500
75	Fail to notify RCMP of Vicious Animal At Large	\$1,500 – First offence \$3,000 – Second offence \$5,000 – Third and subsequent offences
76(a)	Fail to keep a Vicious Animal confined	\$1,500 – First offence \$3,000 – Second offence \$5,000 – Third and subsequent offences
76(b)	Fail to keep under control when children or visitors present	\$1,500 – First offence \$3,000 – Second offence \$5,000 – Third and subsequent offences
76(c)	Fail to control outdoors	\$1,500 – First offence \$3,000 – Second offence \$5,000 – Third and subsequent offences
79	Vicious Animal in Off Leash Area	\$1,500 – First offence \$3,000 – Second offence \$5,000 – Third and subsequent offences
80(a)	Failure to complete Dog training	\$500

Bylaw approved by 

