

TOWN OF BON ACCORD
BYLAW 2025-05
ANIMAL CONTROL BYLAW

**A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, TO LICENCE AND
CONTROL ANIMALS WITHIN THE TOWN OF BON ACCORD.**

WHEREAS the Council wishes to regulate the conduct of persons owning, possessing, having the charge or control over, harboring, suffering or permitting Animals in the Town of Bon Accord; and

WHEREAS the Council deems it expedient to Licence Dogs, Cats, Urban Livestock and Livestock in the Town of Bon Accord; and

WHEREAS the Council wishes to regulate the keeping of Animals; and

WHEREAS the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time (the “*Municipal Government Act*”), authorizes Council to pass such a Bylaw;

NOW, THEREFORE, the Council of the Town of Bon Accord, duly assembled, enacts as follows:

PART 1 – TITLE

1.1 This Bylaw may be cited as “THE ANIMAL CONTROL BYLAW.”

PART 2 – DEFINITIONS

2.1 In this Bylaw, the following definitions shall apply:

- (a) “ANIMAL” means any bird, bug, reptile, amphibian or mammal, excluding humans and Wildlife;
- (b) “ANIMAL CONTROL OFFICER” means the person or persons Council appoints from time to time to perform any duties under this Bylaw and includes but is not limited to a member of the Royal Canadian Mounted Police, a peace officer and a bylaw enforcement officer;
- (c) “ANIMAL SHELTER” means the premises designated by the Town for the purpose of impounding and caring for all Dogs and Cats found to be contravening any section of this Bylaw;
- (d) “APIARY” means a structure where bee colonies are kept;
- (e) “AT LARGE” means a Dog, Cat or other Animal that is at any property other than that of the Owners and is not on a Permitted Leash and under Effective Control;
- (f) “CAT” means either a male or female Domestic Animal of the felidae family;
- (g) “CAO” means the Town Manager of the Town of Bon Accord or designate;

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- (h) “CHIP” means a working, implanted identification microchip, as is commonly inserted by a veterinarian;
- (i) “COMMUNITY STANDARDS BYLAW” means the Town of Bon Accord Community Standards Bylaw 2022-13, as amended or repealed and replaced from time to time;
- (j) “COOP” means a structure comprised of a Henhouse and enclosed outdoor area;
- (k) “COUNCIL” means the Town Council for the municipal corporation of the Town of Bon Accord;
- (l) “DAMAGE TO PUBLIC OR PRIVATE PROPERTY” shall include but not be limited to defecating and/or urinating on such property; as well as knocking over, disrupting or leaving garbage strewn about;
- (m) “DANGEROUS DOG ACT” means *Dangerous Dogs Act*, R.S.A. 2000, c. D-3, as amended or repealed and replaced from time to time, or the regulations thereunder;
- (n) “DEVELOPMENT OFFICER” means the person or persons with responsibility to administer the provisions of the Land Use Bylaw;
- (o) “DOG” means either a male or female Domestic Animal of the canidae family;
- (p) “DOMESTIC ANIMAL” means an Animal which has been habituated to live and breed in a tame condition, in or about habitations of people, but does not include Livestock or Urban Livestock. For the purpose of this Bylaw, examples of domestic animals include but are not limited to Dogs, Cats, and rabbits;
- (q) “DWELLING UNIT” means a self-contained living premises with cooking, eating, living, sleeping and sanitary facilities for domestic use of one or more individuals;
- (r) “EFFECTIVE CONTROL” means a person of suitable size, strength and maturity to be able to control the movements of an Animal, taking into consideration that the Animal may be or become excited, agitated, scared, or otherwise display behaviour causing quick or forceful action by the Dog, including when outdoors by the use of a Permitted Leash;
- (s) “EXOTIC ANIMALS” means all those Animals that are not otherwise covered in this Bylaw;
- (t) “FAMILY TYPE FARMING” means a family farm which is managed and operated by a household residing on the family farm and where farm labour is largely supplied by that household, and it excludes a high intensity agricultural use of that such as a confined feeding operation, as defined in the *Agricultural Operation Practices Act*, R.S.A. 2000, c. A-7;

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- (u) “FEE AND CHARGES BYLAW” means the Town of Bon Accord Fee and Charges Bylaw 2023-06, as amended or repealed and replaced from time to time;
- (v) “FOSTER CARE” means temporary care to animals in a home environment prior to their adoption or reunion with their guardians as arranged by a designated animal rescue agency.
- (w) “HENHOUSE” means a structure that houses Laying Hens at night and includes a secure place for Laying Hens to lay eggs and eat;
- (x) “HUMANE REASONS” means for reasons that show kindness, care and sympathy towards the Animal;
- (y) “KENNEL” means a development in which more than two (2) dogs are maintained, boarded, bred, trained, cared for, or kept for purposes of sale or in which more than two (2) dogs not owned by the resident of the lot on which the kennel is located are kept or cared for;;
- (z) “LAND USE BYLAW” means the Town of Bon Accord Land Use Bylaw 2016-03, as amended or repealed and replaced from time to time;
- (aa) “LARGE ANIMAL” means an Animal, other than a Domestic Animal, which will weigh in excess of 15 kilograms as an adult;
- (bb) “LAYING HENS” means female chickens of at least sixteen (16) weeks of age, raised primarily for the production of eggs;
- (cc) “LAYING HENS LICENCE” means a licence issued pursuant to Part 6 of this Bylaw for the keeping of Laying Hens;
- (dd) “LICENCE” means an identification tag of metal or other material issued by the Town showing the assigned licence number of a specific Dog or Cat licensed under Part 3 of this Bylaw;
- (ee) “LIFETIME LICENCE” means a licence for a specific Dog or Cat issued under Part 3 of this Bylaw that is effective for the duration of the life of the Dog or Cat; subject to section 3.15 of this Bylaw;
- (ff) “LIVESTOCK” means poultry, horses, cattle, sheep, swine, goats, bison, fur-bearing animals raised in captivity and diversified livestock animals within the meaning of the *Livestock Industry Diversification Act*, R.S.A. 2000, c. L-17, as amended or repealed and replaced from time to time, excluding Urban Livestock;
- (gg) “MUZZLED” means an Animal wearing a professionally designed device to prevent the Animal from being able to bite a person or another Animal and that the Animal is unable to remove said device by itself;

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- (hh) “OWNER” means any person owning, possessing, having the charge or control over, harboring, suffering or permitting any Dog or Cat to remain about the house or property;
- (ii) “PERMITTED LEASH” means a leash adequate to restrain the attached Dog or Cat excluding electronic leashes;
- (jj) “POUND KEEPER” shall include the Animal Control Officer and any person or persons duly authorized to operate the Animal Shelter;
- (kk) “PROHIBITED ANIMALS” means those Animals that are not allowed to be kept or housed, whether temporarily or permanently, within the Town;
- (ll) “PUBLIC PROPERTY AREA” means all property owned by or under the control and management of the Town and located within the Town;
- (mm) “RESTRICTED ANIMALS” means those Animals that by number, type or land use zoning under the Land Use Bylaw may be restricted in number or areas in which they may be kept or housed, including Livestock and Urban Livestock, but excluding Dogs or Cats;
- (nn) “SECURE AND LOCKED PEN” means a locked building, cage or fenced area of such construction that will not allow the confined Dog or Dogs to jump, climb, dig or force their way out, or allow the entry of any person not in control of the Dog;
- (oo) “SERVICE DOG” means a Dog individually trained by a recognized agency to do work or perform tasks for people with disabilities; or as described in the Alberta Provincial statutes and regulations *Service Dogs Act*, S.A. 2007, c. S-7.5, and *Blind Persons’ Rights Act*, R.S.A. 2000, c. B-3;
- (pp) “SEVERE INJURY” includes any injury that requires medical or veterinary attention such as wounds requiring sutures, or other wound repair and closing, or surgery, disfiguring or scarring lacerations, broken bones, severe sprains or any other similar serious injury, and any other injury as determined to be severe by a Court or the CAO upon hearing the evidence;
- (qq) “SMALL ANIMAL BREEDING AND BOARDING ESTABLISHMENT” means a development where domestic pets are bred, boarded, or trained. Small Animal Breeding and Boarding Establishments include Kennels but do not include animal hospitals or veterinary clinics;
- (rr) “SPECIAL PERMIT” means a permit granted by the CAO that may or may not have restrictions on it regarding allowances or variances to Parts 3, 4, 5, 6 or 7 of this Bylaw;
- (ss) “TOWN” means the municipal corporation of the Town of Bon Accord or the geographic area contained within the boundaries thereof as the context requires;

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- (tt) “URBAN BEEKEEPING” means Apiaries that are constructed and maintained primarily for the small-scale harvesting of products such as honey and beeswax generated by the bee colonies using the Apiary;
- (uu) “URBAN BEEKEEPING LICENCE” means a licence issued pursuant to Part 6 of this Bylaw for Urban Beekeeping;
- (vv) “URBAN LIVESTOCK” means bee colonies kept as part of Urban Beekeeping and Laying Hens, provided the bee colonies or Laying Hens been authorized pursuant to a Laying Hens Licence or an Urban Beekeeping Licence;
- (ww) “VEHICLE” includes any machine designed for self-propulsion, usually to transport people, cargo, or both such as a car, truck, motorcycle, farm equipment, and bicycles;
- (xx) “VICIOUS DOG” shall mean any Dog which:
 - (i) has been declared to be dangerous by a Justice under the provisions of the *Dangerous Dogs Act*; or
 - (ii) has been designated by the CAO a “Vicious Dog” under the provisions of this Bylaw;
- (yy) “VIOLATION TAG” means a violation tag issued under the authority of the Town of Bon Accord which complies with Part 9 of this Bylaw;
- (zz) “VIOLATION TICKET” means a violation ticket issued pursuant to the provisions of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time, or the regulations thereunder;
- (aaa) “WARNING SIGN” shall mean a sign that:
 - (i) is not less than 15 cm by 20 cm (approximately 6 inches by 8 inches) in dimension;
 - (ii) has bold block letters not less than 5cm (2 inches) in height;
 - (iii) declares at a minimum “BEWARE (VICIOUS) DOG ON PREMISES”; and
 - (iv) shall be made of a durable all weather type material; and
- (bbb) “WILDLIFE” has the same meaning as that term is used in the *Wildlife Act*, R.S.A. 2000, c. W-10, as amended or repealed and replaced from time to time, and includes but is not limited to coyotes, cougars, bobcats, deer, moose, elk, wild rabbits, porcupines, beavers and skunks.

PART 3 – DOGS AND CATS LICENSING

Licences

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- 3.1 No person, or combination of persons residing at any single Dwelling Unit, shall own, keep or harbor within the Town more than four (4) Domestic Animals over the age of six (6) months.
- 3.2 No person shall own, keep or harbor within the Town any Dog or Cat over the age of six (6) months without a valid Licence.
- 3.3 In any prosecution or proceeding for a contravention of this Part, the burden of proof shall rest upon the person so charged as to:
 - a) the age of the Domestic Animal; and
 - b) that the person is not an Owner if the person is ordinarily resident at the Dwelling Unit at which the Domestic Animal is ordinarily resident.
- 3.4 A person who resides within the Town and is the Owner of a Dog or Cat over the age of six (6) months shall obtain or renew a Licence for each Dog or Cat prior to January 31, unless the person is an Owner in possession of a Lifetime Licence for a particular Dog or Cat.
- 3.5 A person residing in the Town who becomes the Owner of a Dog or Cat without a Licence or who is the Owner of a Dog or Cat and takes up residence in the Town, shall obtain a Licence within fifteen (15) days of becoming the Owner or taking up residence within the Town.
- 3.6 Every person who becomes the Owner of a Dog or Cat which is currently licensed in accordance with the provisions of this Bylaw shall apply for a new Licence within fifteen (15) days after becoming the Owner of the said Dog or Cat.
- 3.7 To obtain a Licence, the Owner of a Dog or Cat shall provide the following information with each application for a Licence:
 - a) full name and address of the Owner;
 - b) name and description of the Dog or Cat associated with the Licence;
 - c) the breed or cross-breed of the Dog or Cat;
 - d) tattoo or implanted Chip number (if available);
 - e) the Licence number of the Dog or Cat (if applicable); and
 - f) whether or not the Dog has ever been assessed as a “dangerous dog” under the *Dangerous Dogs Act*, designated a Vicious Dog under either this Bylaw or a prior animal control bylaw of the Town, or otherwise labelled as dangerous or vicious by another municipality or regulatory body.

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- 3.8 Upon payment of the required Licence fee as set out in Schedule "A" and a complete application as described in section 3.7, the Owner will be supplied with a Licence unless the Dog described in the application is a Vicious Dog.
- 3.9 Licences issued under this Bylaw shall not be transferable from one Dog or Cat to another Dog or Cat nor from one Owner to another Owner.
- 3.10 Every Licence, Vicious Dog Licence, Laying Hens Licence or Urban Beekeeping Licence, other than a Lifetime Licence, expires on January 31, unless renewed by the Town upon payment of the Licence renewal fee as set out in Schedule "A".

Vicious Dog Licences

- 3.11 No person shall own, keep or harbour a Vicious Dog without a valid Vicious Dog Licence.
- 3.12 The Owner of the Vicious Dog residing in the Town shall apply for a Vicious Dog Licence by:
 - a) submitting the information required as part of an application for a Licence under section 3.7; and
 - b) providing proof of an active liability insurance policy as described in section 5.12.
- 3.13 Upon payment of the required Vicious Dog Licence fee and a complete application as set out in section 3.12, the Owner may be supplied with a Vicious Dog Licence if the Animal Control Officer is satisfied that the Owner will abide by the restrictions on Vicious Dogs in this Bylaw considering:
 - a) the history of the Dog and the Owner;
 - b) the steps taken by the Owner as a result of the occurrence that resulted in the Dog being designated a Vicious Dog;
 - c) the equipment, supplies and facilities available to the Owner including a Muzzle, Warning Sign, and Secure and Locked Pen; and
 - d) any other factors that the Animal Control Officer believes may impact the Owners ability to control the Vicious Dog or that may increase the risks to persons or property.
- 3.14 The CAO may revoke a Vicious Dog Licence if the Owner or any other person keeping or harboring a Vicious Dog does not comply with Part 5 of this Bylaw.
- 3.15 Vicious Dogs are ineligible for a Licence or Lifetime Licence. If a Dog that has been licensed by the Town through the issuance of a yearly Licence or a Lifetime Licence is designated as a Vicious Dog under this Bylaw, the current Licence becomes invalid. The Licence then must be surrendered to the Town without compensation and the Owner must comply with section 3.12.

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3.16 A Vicious Dog Licence expires on January 31 and may only be renewed after the submission of an application for renewal that includes proof of the insurance described in section 5.12.

Wearing Licences

3.17 Every Owner shall ensure that the Licence is either securely fastened to a choke chain, collar or harness which must be worn by the Dog or Cat at all times or is in the possession of the Owner and available upon request whenever the Dog or Cat is on property other than property owned by or under the control of its Owner.

3.18 Every Owner of a Vicious Dog shall ensure that the Vicious Dog Licence is securely fastened to a choke chain, collar or harness which must be worn by the Vicious Dog whenever the Vicious Dog is on property other than property owned by or under the control of its Owner.

Replacement Licences

3.19 An Owner may obtain a Licence or Vicious Dog Licence to replace a Licence or Vicious Dog Licence which has been lost upon payment of the Licence replacement fee as set out in Schedule "A".

Exemptions

3.20 The obligation to obtain a Licence shall not apply to the following:

- a) persons temporarily in the Town for a period not exceeding four (4) weeks;
- b) persons holding a valid development permit, issued pursuant to the Land Use Bylaw, authorizing the operation of a Kennel or other similar animal based business or operation of a Small Animal Breeding and Boarding Establishment;
- c) persons holding an identification card proving ownership and certification of a Service Dog that provides is used by that person for the purpose of compensating for or alleviating the effects of a disability; or
- d) persons caring for a Dog or Cat for a period of no longer than thirty (30) days, once per year, where the Owner of the Dog or Cat resides outside the Town as long as the Animal is able to be identified through one or more of the following: wearing other licence tags issued by another municipality or having a registered address outside of the Town associated with a tattoo or Chip; or
- e) persons caring for a Dog or Cat in temporary Foster Care of no longer than 1 year.

3.21 Section 3.20(b) does not apply to Dogs and Cats that reside permanently at a Kennel or Small Animal Breeding and Boarding Establishment.

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Special Permits

3.22 At the discretion of the CAO, Special Permits may be granted for Domestic Animals other than Prohibited Animals if:

- a) the issuance of the Special Permit does not interfere with the administration of this Bylaw, the Land Use Bylaw or the Community Standards Bylaw; or
- b) there is special occasion to do so for a limited period of time.

3.23 Restrictions and or time limits may be included in Special Permits at the discretion of the CAO.

General Licence Obligations

3.24 A Licence, Vicious Dog Licence, Laying Hens Licence or Urban Beekeeping Licence will not be issued or renewed for any person with outstanding fines that have arisen as a result of this Bylaw unless such outstanding fine is under judicial review.

3.25 No person shall provide misleading or false information when applying for a Licence, Vicious Dog Licence, Laying Hens Licence or Urban Beekeeping Licence.

PART 4 – CONTROL OF ANIMALS

Animal Behaviour

4.1 The Owner of a Domestic Animal shall not permit such Domestic Animal to be At Large within the Town.

4.2 The Town may post signs indicating those Public Property Areas within the Town wherein the presence of Dogs or Cats, whether At Large or under the Effective Control of a person, is expressly prohibited. The Owner of the Dog or Cat shall not permit their Dog or Cat to be present in Public Property Areas with signs prohibiting the presence of Dogs or Cats.

4.3 Section 4.2 shall not apply to an Owner of a Service Dog.

4.4 The Owner of a Domestic Animal, Livestock or Laying Hen shall not permit such Domestic Animal, Livestock or Laying Hen to cause Damage to Public or Private Property.

4.5 The Owner of a Domestic Animal shall not tether any Animal on or to any structure located in a Public Property Area including but not limited to trees, fences, sign poles and benches.

4.6 The Owner of a female Domestic Animal or female Livestock in estrus or “heat” must contain or restrain said female Domestic Animal or female Livestock so as not to cause the attraction of other Animals or Wildlife.

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- 4.7 A person in care and control of a Dog or Cat not on their own property must carry and produce when asked, a means of removing their Dogs or Cats defecation.
- 4.8 If a Dog or Cat defecates on any public or private property other than the property of its Owner, the Owner shall cause such defecation to be removed immediately.
- 4.9 Without limiting the generality of the prohibitions on noise in the Community Standards Bylaw, the Owner of any property where an Animal is kept shall not allow defecation to remain on the Owner's property to such an extent that it results in excessive odour. An Owner shall immediately remove any defecation from the Owner's property upon notice from the Animal Control Officer.
- 4.10 Without limiting the generality of the prohibitions on noise in the Community Standards Bylaw, the Owner of a Dog shall not permit the Dog to bark or howl excessively and the Owner of a Cat shall not permit the Cat to meow or howl excessively.
- 4.11 The Owner of a Domestic Animal shall not permit it to:
 - a) threaten, attack or bite a person;
 - b) chase a Vehicle or a person; or
 - c) attack, harass, injure or kill another Domestic Animal, Livestock or Urban Livestock.
- 4.12 An Owner shall not be deemed to have failed or refused to comply with the requirements of section 4.11 where their Domestic Animal threatens, chases, attacks or bites:
 - a) a trespasser on the property where its Owner resides, or in the case of a guard Dog, a trespasser on the property being patrolled by said guard Dog; or
 - b) a person who is physically abusing or teasing said Domestic Animal.
- 4.13 An Owner shall not permit a guard Dog or a Dog that the Owner suspects may be or become vicious to be controlled by a responsible person less than eighteen (18) years of age.

Animal Control Officer and Pound Keeper

- 4.14 The Animal Control Officer is authorized to capture and impound all Dogs, Cats, Domestic Animals, Laying Hens, Livestock, and Prohibited Animals found contrary to the provisions of this Bylaw.
- 4.15 Pursuant to the authority provided in section 4.14, the Animal Control Officer is hereby authorized to enter any privately-owned premises at reasonable times.
- 4.16 The authority of an Animal Control Officer to enter privately-owned premises under section 4.15 does not extend to include the entry of a building used as a Dwelling Unit, except with the consent of the occupant of the Dwelling Unit.

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- 4.17 To assist in the capture and impoundment of Animals At Large, the Animal Control Officer may use live Animal traps.
- 4.18 No person shall interfere with or attempt to obstruct an Animal Control Officer in the performance of their functions pursuant to the provisions of this Bylaw, including by:
 - a) chasing an Animal while an Animal Control Officer is attempting to capture an Animal;
 - b) releasing an Animal who has been captured by an Animal Control Officer;
 - c) tampering with, springing or moving any Animal traps that have been set by an Animal Control Officer,
 - d) inducing an Animal to enter a Dwelling Unit or other place where it may be safe from capture or otherwise assist the Animal to escape capture;
 - e) preventing access to privately-owned premises; and
 - f) any other action which might otherwise impede the Animal Control Officer in their function of investigating, capturing or impounding an Animal pursuant their authority.
- 4.19 The Pound Keeper shall keep all Animals captured and impounded pursuant to the provisions of this Bylaw for a period of at least seventy-two (72) hours; however, regardless of the time impounded, all unclaimed Animals will be taken to the Edmonton Humane Society or an equivalent type facility on Fridays of each week or prior to a statutory holiday, as the Animal Shelter will not host Animals over weekends or statutory holidays.
- 4.20 Within the seventy-two (72) hours referred to in section 4.19 or prior to being transferred to the Edmonton Humane Society or other equivalent type facility, any Dog or Cat impounded at the Animal Shelter may be collected by its Owner or agent of the Owner upon payment of:
 - a) the appropriate Licence fee when a Dog or Cat is not licensed, payable to the Town;
 - b) a per diem impounding fee, as established from time to time by the Pound Keeper to cover the costs of operating the Animal Shelter and hosting the Animal during the period of impoundment, payable to the Town; and
 - c) if applicable, payment of expenses for any costs owed by the Owner pursuant to section 4.28, payable to the Town.
- 4.21 If an Animal is not collected from the Animal Shelter within the seventy-two (72) hours referred to in section 4.19 or prior to being transferred to the Edmonton Humane Society or other equivalent type facility, without compensation to the Owner, the Animal Control Officer may:

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- a) arrange for destruction of the Animal using a licensed veterinarian;
- b) give the Animal into the care of another agency, facility, organization responsible for the adoption or re-homing of unclaimed Animals; or
- c) sell to a person other than the Owner upon payment of all applicable fees and costs as set out in section 4.18 to the Town.

4.22 The Pound Keeper shall report any apparent illness, communicable disease, injury or unhealthy condition of any impounded Dog or Cat to a licenced veterinarian and act immediately upon the licenced veterinarian's recommendations. The Owner of the Dog or Cat will be responsible for all resulting financial charges from the licenced veterinarian.

4.23 When, in the judgment of a licenced veterinarian, a Dog or Cat should be destroyed for Humane Reasons, the Animal Control Officer may arrange for destruction of the Animal using a licensed veterinarian and the Owner shall not be entitled to collect the Dog or Cat from the Animal Shelter notwithstanding payment of all applicable fees and cost as set out in section 4.18.

4.24 No action for damages shall be taken against any person acting under the authority of this Bylaw for destruction or disposal of an Animal in accordance with the provisions of this Bylaw.

4.25 Where an Animal has inflicted a Severe Injury on a person or other Animal, the person responsible for or the Owner of the Animal who has received the Severe Injury and the Owner of the Animal causing the Severe Injury shall promptly report the occurrence to the Animal Control Officer. Despite the foregoing, no person is responsible for reporting an occurrence of which they have no knowledge.

4.26 Upon demand of the Animal Control Officer, the Owner shall forthwith surrender any Animal which has inflicted a Severe Injury upon any person.

4.27 The Animal Control Officer may quarantine in any reasonable location an Animal that has inflicted a Severe Injury, and thereafter the Animal shall not be released from such quarantine except by written permission of a licenced veterinarian.

4.28 Expenses for any costs incurred by the Town as a result of steps taken to impound or quarantine an Animal pursuant to this Bylaw will be the responsibility of the Owner of the Animal and any amounts owed and unpaid after thirty (30) days may be recovered as a debt owed to the Town.

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PART 5 – VICIOUS DOGS

- 5.1 The Owner of a Vicious Dog shall not permit such Animal to be At Large within the Town.
- 5.2 The Owner of a Vicious Dog shall take all necessary steps to ensure that such Dog does not bite, chase or attack any person or other Animal, whether the person or Animal is on the property of the Owner or not.
- 5.3 The Owner of a Vicious Dog shall not permit, suffer or allow such Vicious Dog to be on any Public Property Area or private property that is not owned by or under the control of such Owner, unless the Vicious Dog is:
 - a) Muzzled;
 - b) On a Permitted Leash; and
 - c) Under the Effective Control of the Owner or another person over the age of eighteen (18) years acting on behalf of and with the authority of the Owner.
- 5.4 While a Vicious Dog is on the property owned by or under the control of its Owner, the Owner shall at all times be responsible for:
 - a) keeping the Vicious Dog confined indoors and under the Effective Control of a person over the age of eighteen (18) years who is acting on behalf of and with the authority of the Owner; or
 - b) confining the Vicious Dog in a Secure and Locked Pen capable of preventing entry by a person under the age of eighteen (18) years or a person who cannot exercise Effective Control over the Vicious Dog.
- 5.5 Where a Vicious Dog is on private property owned by or under the control of its Owner, said Owner shall not allow the Vicious Dog to be outdoors outside of a Secure and Locked Pen unless the Vicious Dog is Muzzled, on a Permitted Leash, and under the Effective Control of the Owner or another person over the age of eighteen (18) years acting on behalf of and with the authority of the Owner.
- 5.6 Where, in the opinion of the Animal Control Officer, a Dog has been involved in an occurrence that would warrant designation as a Dangerous Dog pursuant to section 5.7, the Animal Control Officer may submit a written report of the occurrence to the CAO
- 5.7 The CAO, on advice of the Animal Control Officer, may designate a Dog to be a Vicious Dog and require an Owner to obtain a Vicious Dog Licence where:
 - a) the Dog has, with or without provocation, attacked, bitten or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;
 - b) the Dog has bitten, killed or caused injury to a Domestic Animal while in a Public Property Area, on limited common property or while on private property other

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than property owned by or occupied by under the control of the Owner of the Dog;

- c) the Dog, while At Large, has aggressively pursued or harassed a person, a vehicle or a Domestic Animal;
- d) the Dog has a known propensity to attack or injure a person without provocation;
- e) the Dog is owned or harboured primarily, or in part, for the purpose of Dog fighting or is a Dog trained for Dog fighting;
- f) the Dog has been assessed a dangerous dog by a Justice under the provisions of the *Dangerous Dogs Act*; or
- g) the Dog has been determined to be dangerous or vicious under a prior animal control bylaw of the Town or otherwise labelled as dangerous or vicious by another municipality or regulatory body.

5.8 If a Dog is designated as a Vicious Dog under this Bylaw, then the Animal Control Officer shall in writing:

- a) inform the Owner that the CAO has designated said Dog as a Vicious Dog and the reasons for the designation;
- b) require the Owner to keep said Dog in accordance with the provisions of this Bylaw respecting Vicious Dogs; and
- c) inform the Owner that, if said Vicious Dog is not kept in accordance with the provisions of this Bylaw with respect to Vicious Dogs, the Owner will be fined or subject to enforcement action pursuant to this Bylaw.

5.9 A decision of the CAO with respect to the designation of a Vicious Dog may be appealed to Council within thirty (30) days of receipt of the written notice from the Animal Control Officer described in section 5.8. The request for an appeal must be made in writing, addressed to the CAO. The written request must state the basis of the appeal and be accompanied by the fee as outlined in Schedule "A". Council may consider the appeal using the Owner's written statement or it may hear from the Owner, the CAO, the Animal Control Officer, and other persons impacted by the Vicious Dog. Council's decision on the appeal is final and the Town will not accept a new application for a Vicious Dog Licence for one (1) calendar year from the date of the decision on the appeal.

5.10 If, in the opinion of the Animal Control Officer or Pound Keeper, a Dog is dangerous they may make a complaint under the *Dangerous Dogs Act* for an order directing, among other things, that such Dog be controlled or destroyed whether or not the Dog has first been declared a Vicious Dog.

5.11 The Owner of a Dog designated a Vicious Dog pursuant to the provisions of this Bylaw shall promptly after the designation and thereafter while the Vicious Dog is present in the Town:

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- a) post Warning Signs on any private property owned by or under the control of the Owner at which the Vicious Dog may be present for the purpose of alerting the public that a Vicious Dog may be present and the Owner is responsible for ensuring the Warning Signs are:
 - i) always kept legible, viewable and in good repair, and
 - ii) posted at every entrance to or access onto the property,
- b) not breed or sell such Dog;
- c) notify the Animal Control Officer or Pound Keeper and the Town office should said Dog be At Large;
- d) obtain the appropriate Vicious Dog Licence, which must be worn as described in section 3.18; and
- e) have such Dog tattooed or Chipped or both tattooed and Chipped, to the satisfaction of the Animal Control Officer, for the purpose of identifying such Dog, should the Licence not be on the Dog.

5.12 As a condition of obtaining a Vicious Dog Licence, the Owner shall have and keep in place a policy of liability insurance in a form satisfactory to the CAO that shall:

- a) provide a third-party liability coverage in a minimum amount of two million dollars (\$2,000,000.00) that will cover the costs for any injuries that may be caused by the Owner's Vicious Dog, and
- b) contain a provision requiring the issuer to immediately notify the Town in writing should the policy expire or be cancelled or terminated.

5.13 Where a Vicious Dog has inflicted a Severe Injury, the person who has received the said wound, or the Owner of said Animal, where said Owner is aware of the Severe Injury being inflicted, shall promptly report the occurrence to the Animal Control Officer.

PART 6 – RESTRICTED ANIMALS

6.1 No person, or combination of persons residing at any single Dwelling Unit, shall own, keep or harbor Livestock, except that Livestock may be owned, kept or harboured:

- a) on property designated under the Land Use Bylaw as UR, Urban Reserve, as part of Family Type Farming;
- b) on property with a valid development permit, issued pursuant to the Land Use Bylaw, authorizing the keeping of Livestock on the property;
- c) where the keeping of Livestock is permitted as a lawful non-conforming use; or

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d) when otherwise permitted pursuant to the provisions of a federal or provincial enactment.

6.2 No person may keep Laying Hens within the Town, unless:

- a) a Laying Hens Licence has been issued by the Town;
- b) the property at which the Laying Hens are located has been assigned a Premises Identification number (PID) pursuant to the provisions of the *Animal Health Act*, S.A. 2007, c. A-40.2, as amended or repealed and replaced from time to time, or the regulations thereunder, except where otherwise exempt thereunder;
- c) no more than four (4) Laying Hens are kept on a property at one time;
- d) for each Laying Hen, a Coop is provided that consists of at least 0.37 square metres of Henhouse and 0.92 square metres of enclosed outdoor area;
- e) the Coop must:
 - i) be walled, insulated, ventilated and roofed and the enclosed outdoor area must be attached to the Henhouse, secure and covered, and may be either vegetated or bare earth;
 - ii) have adequate ventilation, climate appropriate roosting platforms or bars, nest boxes, sufficient perch locations for the number of Laying Hens and be weather and predator proof;
 - iii) have adequate ventilation on the roof to reduce moisture and to moderate temperature in the winter; and
 - iv) be kept in good repair and in sanitary conditions to prevent negative impacts including, but not limited to, attracting nuisance Animals, and generating excessive smells or noise.
- f) the maximum height of the Coop is 1.8 metres;
- g) the maximum area of the Coop is 9.2 square metres;
- h) the Coop is located:
 - i) in a rear yard of a single detached dwelling, as both terms are defined by the Land Use Bylaw, that is enclosed with a fence;
 - ii) a minimum of 1.2 metres from all adjacent property lines;
 - iii) a minimum of 3.0 metres from any windows and doors of the residential structure on the property and any residential structure on an adjacent property; and

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- iv) a minimum of 1.5 metres from the residential structure on the property;
- i) the Land Use Bylaw designates the property as a land use district that permits the keeping of Laying Hens as an accessory use;
- j) appropriate mitigation mitigations are implemented to prevent disease from occurring, and to keep such disease from spreading, should they occur; and
- k) the Laying Hens are not permitted to run At Large; and
- l) as part of the keeping of Laying Hens, no slaughter or destruction of the Laying Hens occurs at the property.

6.3 No person may carry on Urban Beekeeping within Town unless:

- a) an Urban Beekeeping Licence has been issued by the Town;
- b) the person to whom the Urban Beekeeping Licence has been issued is registered with the provincial apiculturist, unless exempt from registration pursuant to the provisions of the *Bee Act*, R.S.A. 2000, c. B-2, as amended or repealed and replaced from time to time, or the regulations thereunder;
- c) no more than two (2) Apiaries are maintained on a property at one time;
- d) the Apiary is located:
 - i) in a rear yard, as defined by the Land Use Bylaw, that is enclosed with a fence;
 - ii) a minimum of 3.0 metres from all adjacent property lines if the fence enclosing the rear yard is less than 2 metres high;
 - iii) a minimum of 3.0 metres from any public right-of-way or private road; and
 - iv) a minimum of 25.0 metres from any schools, playgrounds, sports fields, hospitals, or other public places that may be occupied by a large number of persons with vulnerabilities such as age or health; and
- e) the Land Use Bylaw designates the property as a land use district that permits Urban Beekeeping as an accessory use.

6.4 To obtain a Laying Hens Licence or an Urban Beekeeping Licence, a person shall provide the following information with each application:

- a) the address and owner of the property at which the Laying Hens will be kept or the Urban Beekeeping will be carried out;

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- b) the name and contact information of the person applying for the Laying Hens Licence or the Urban Beekeeping Licence, and if different than the Owner, the relationship between the applicant and the Owner;
- c) confirmation that the person applying for a Laying Hens Licence or an Urban Beekeeping Licence is eighteen (18) years of age or older;
- d) in the case of a Laying Hens Licence, the following additional information:
 - i) a description of the Coop and how the Henhouse will be heated in winter, including the methods of insulating the outdoor enclosed areas of the Coop during winter;
 - ii) the name and clinic location of a veterinarian familiar with treating Laying Hens; and
 - iii) a checklist identifying daily, weekly, monthly, and seasonal mitigations that will be implemented to prevent disease from occurring, and keep disease from spreading, should they occur.
- e) proof of notification to any adjacent properties of the intention to apply for a Laying Hens Licence or an Urban Beekeeping Licence, in the form and with the content prescribed by the Animal Control Officer; and
- f) a site sketch to the satisfaction of the Animal Control Officer showing, at a minimum, the location, associated setback distances, and approximate dimensions of any Henhouse, Coop or Apiary.

6.5 The Animal Control Officer may issue a Laying Hens Licence or an Urban Beekeeping Licence after:

- a) receipt of a complete application as described in section 6.4;
- b) the application is determined by the Animal Control Officer to comply with requirements of this Bylaw, and by the Development Officer to be in compliance with the requirements of the Land Use Bylaw;
- c) confirmation that no other valid Laying Hens Licence or an Urban Beekeeping Licence are effective for the property;
- d) a determination that the person applying for the Laying Hens Licence or Urban Beekeeping Licence has an appropriate level of training and will be able to keep their training updated to reflect the best management practices for keeping Laying Hens and bee colonies in an urban setting; and
- e) no reasonable concerns from the occupants of any adjacent properties have been received following the notification required under section 6.4(e).

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- 6.6 The Animal Control Officer may issue a Laying Hens Licence or an Urban Beekeeping Licence on such terms and conditions necessary to ensure that the Urban Beekeeping is carried out or the Laying Hens are kept in compliance with requirements of this Bylaw, the Land Use Bylaw and the Community Standards Bylaw.
- 6.7 The decision of the Animal Control Officer on the issuance of a Laying Hens Licence or an Urban Beekeeping Licence, including any terms and conditions imposed, may be appealed to the CAO within seven (7) days of the decision of the Animal Control Officer. On receipt of such an appeal, the CAO may vary any of the regulations of this Bylaw with respect to the siting or dimensions of a Henhouse, Coop or Apiary, but may not vary the maximum number of Laying Hens or Apiaries nor the land use districts in which the keeping of Laying Hens or Urban Beekeeping are carried out.
- 6.8 No person to whom a Laying Hens Licence or an Urban Beekeeping Licence has been issued may keep or allow to be kept Urban Livestock in contravention of the terms and conditions of the Laying Hens Licence or the Urban Beekeeping Licence.
- 6.9 The CAO may revoke a Laying Hens Licence or an Urban Beekeeping Licence if the terms and conditions of the Laying Hens Licence or the Urban Beekeeping Licence are not being followed and thereafter the Urban Livestock must be removed from the Town within fourteen (14) days.
- 6.10 A decision of the CAO with respect to a Laying Hens Licence or an Urban Beekeeping Licence may be appealed to Council within thirty (30) days of receipt of the written notice of the CAO's decision. The request for an appeal must be made in writing, addressed to the CAO. The written request must state the basis of the appeal and be accompanied by the fee as outlined in Schedule "A". Council's decision on the appeal is final and the Town will not accept a new application for a Laying Hens Licence or an Urban Beekeeping Licence for one (1) calendar year from the date of the decision on the appeal.
- 6.11 A Laying Hens Licence or an Urban Beekeeping Licence shall not be transferable from one person to another person nor from one property to another property.
- 6.12 No person shall keep a Large Animal on a property within the Town that is located in a residential area, as determined by reference to the land use district in the Land Use Bylaw in the opinion of the Town's Development Officer. This section does not apply to Domestic Animals.
- 6.13 The Animal Control Officer is authorized to investigate any complaints arising from the keeping of Restricted Animals. Where, pursuant to said investigation, the Animal Control Officer determines that:
 - a) the Restricted Animals are not being kept in accordance with the provisions of this Bylaw;

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- b) the Restricted Animals are not being kept in accordance with the Laying Hens Licence or the Urban Beekeeping Licence issued and the conditions of said Licence; or
- c) The Restricted Animals have caused Damage to Public or Private Property.

6.14 The Animal Control Officer may direct the Owner of said Restricted Animals to comply with the provisions of this Bylaw and, without limiting the generality of the foregoing, may direct the said Owner to restrain, dispose of or destroy the Restricted Animal.

PART 7 – PROHIBITED ANIMALS

- 7.1 No person shall keep, harbor or possess any Prohibited Animals.
- 7.2 The following Animals are Prohibited Animals
 - a) poisonous or venomous Animals, and
 - b) Exotic Animals.

PART 8 – RABIES CONTROL

- 8.1 In the event of an outbreak or a threatened outbreak of rabies or any disease affecting any Animal and which may be transmitted to human beings, Council may, by resolution, order and direct that all Animals shall be kept securely tied up by the Owner or shall be otherwise effectively confined. Any Animal found At Large in contravention of this Part shall be impounded.
- 8.2 Upon demand made by the Animal Control Officer, an Owner shall forthwith surrender any Animal which the Animal Control Officer has reasonable and probable grounds to suspect of having been exposed to rabies, for supervised quarantine which expense shall be borne by the Owner, and the Animal may be reclaimed by the Owner once adjudged free of rabies, upon payment of confinement expenses and upon compliance with the Licensing provisions of this Bylaw.
- 8.3 When an Animal under quarantine has been diagnosed as rabid, or suspected by a licenced veterinarian as being rabid, and dies while under such observation, the Pound Keeper shall immediately send the head of such Animal to the appropriate health department for pathological examination and shall notify the Public Health Officer of the undertaking of such examinations, any suspected human contacts and the diagnosis made of the suspected Animal.
- 8.4 During such period of rabies quarantine as herein mentioned, every Animal bitten by an Animal adjudged to be rabid, shall either be forthwith destroyed or shall be treated for rabies infection by a licenced veterinarian, at the Owner's expense.
- 8.5 The carcass of any dead Animal exposed to rabies shall be reported to, and, upon demand, be surrendered to the Pound Keeper.

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8.6 The Pound Keeper shall direct the disposition of any Animal found to be infected with rabies.

PART 9 – PENALTIES

9.1 Any person who does any act or thing which the person is prohibited from doing, or who fails to do any act or thing which the person is responsible for doing or who fails to obey a lawful direction given by an Animal Control Officer, or otherwise contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a fine as set out in Schedule “A” attached hereto.

9.2 A penalty of two (2) times the applicable fine as provided in Schedule “A” shall be levied against an Owner who commits, for a second time, any offence under this Bylaw, providing that such offence is committed within one (1) year of the committing of the first offence. The penalty will apply whether the offence is in relation to the same Animal or another Animal owned by the same person.

9.3 The Animal Control Officer is hereby authorized and empowered to issue a Violation Tag to any person who the Animal Control Officer has reasonable and probable ground to believe has committed an offence under this Bylaw.

9.4 Such Violation Tag may be served on a person believed to have committed an offence by:

- a) handing a copy of the Violation Tag to the person;
- b) by leaving a copy of the Violation Tag at the person’s most recent residential or business address recorded in the Town’s records; or
- c) by mailing a copy of the Violation Tag addressed to the person to the person’s most recent mailing address recorded in the Town’s records.

9.5 The Violation Tag shall state:

- a) the name of the person believed to have committed an offence;
- b) the offence; and
- c) the corresponding fine for the offence as specified in schedule “A” of this Bylaw.

9.6 Every Violation Tag issued pursuant to this Bylaw shall provide for payment to be made to the Town of Bon Accord within thirty (30) days of the issuance of the Violation Tag. If payment is made within the time limit, such payment shall be accepted in lieu of prosecution but will not relieve the person from liability for any other amounts owed to the Town for fees or costs set out elsewhere in this Bylaw.

9.7 If the fine specified on a Violation Tag is not paid within the prescribed time period, then the Animal Control Officer is hereby authorized and empowered to lay a complaint and issue a summons by means of a Violation Ticket.

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- 9.8 Nothing in this Bylaw shall prevent the Animal Control Officer from immediately issuing a summons by means of a Violation Ticket.
- 9.9 Where an offence under this Bylaw is committed or continued on more than one day, it shall be deemed to be a separate offence for each day on which it is committed or continued.

PART 10 – GENERAL

- 10.1 Each section of this Bylaw shall be read and construed as being separate and severable from each other section. Furthermore, should any section or part of this Bylaw be found to have been improperly enacted for any reason, then such section or part shall be regarded as being severable from the rest of the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.
- 10.2 The decision and conditions imposed in an order of the court pursuant to the provisions of the *Dangerous Dogs Act* will take precedence over the provisions of this Bylaw. Any additional conditions that may apply and be in this Bylaw will also be in effect and be enforced by the Town.
- 10.3 Bylaw 2024-16 is hereby repealed.
- 10.4 This Bylaw shall come into force and effect on the date of 3rd reading, regardless of the date that it is signed in accordance with section 213 of the *Municipal Government Act*.

READ A FIRST TIME THIS 20th DAY OF May 2025.

READ A SECOND TIME THIS 20th DAY OF May 2025.

READ A THIRD TIME THIS 20th DAY OF May 2025.

SIGNED AND PASSED THIS 20th DAY OF May 2025.

ORIGINAL SIGNED

Brian Holden
Mayor

ORIGINAL SIGNED

Jodi Brown
Chief Administrative Officer

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SCHEDULE “A” TO BYLAW 2024-16

FEES	Value
Initial Licence fee and yearly renewal fee for each neutered or spayed Dog or Cat	\$30.00
Initial Licence fee and yearly renewal fee for each unaltered Dog or Cat	\$40.00
Lifetime Licence for each neutered or spayed Dog or Cat	\$100.00
Lifetime Licence for each unaltered Dog or Cat	\$150.00
Yearly Vicious Dog Licence *Lifetime Licence not available	\$1000.00
Tag Replacement	\$10.00
Appeal Fee	\$50.00
New Application and Renewal Fee Urban Beekeeping Licence or Laying Hens Licence	\$35.00
Senior citizens (65 years of age and older) pay 50% of the Licence fees set out above (except for a Vicious Dog Licence)	
PENALTIES	
All penalties, where applicable, are per Animal except where the offence relates to the keeping of Livestock, Hens or Apiaries.	
All penalties listed are for first offence.	
2nd offence and each subsequent offence within one year is double the amount shown (s. 9.2).	
Harboring more than four Domestic Animals	\$250.00 plus \$25.00 per day
Failure to obtain a Dog or Cat Licence	3.1
Failure to obtain a Vicious Dog Licence	\$200.00
Failure to ensure that a Licence is present when a Dog or Cat is off the Owner's property	3.11
Provide false or misleading information	\$100.00
Permitting a Dog or Cat or Animal to be At Large	3.24
Permitting a Dog or Cat to be in an area where the presence of Dogs or Cats is prohibited by a sign	4.1
Permitting an Animal to cause Damage to Public or Private Property; Animal in heat attracting other Animals	\$200.00
Tethering an Animal to a structure on Public Property Area	4.2
Animal in heat attracting other Animals	\$200.00
Failure to have/carry/produce a means of cleaning up Dog or Cat defecation	4.4
Failure to remove a Dog's or Cat's defecation from a Public Property Area or private property	4.6
Failure to remove defecation from own property causing excessive odour	\$75.00
	4.7
	\$150.00
	4.8
	\$200.00 plus \$30.00 per day
	4.9

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Permitting a Dog to bark or howl excessively or Cat to meow or howl excessively	\$300.00	4.10
Allow Animal to threaten, bite, chase Vehicles or people; or attack; harass, injure or kill another Domestic Animal, Livestock or Urban Livestock	\$1000.00	4.11
Control of a guard Dog or suspected Vicious Dog by a responsible person less than eighteen (18) years of age	\$200.00	4.13
Interference with an Animal Control Officer's functions	\$500.00	4.18
Failure to advise the Animal Control Officer of a Severe Injury	\$250.00	4.24
Refusal of an Owner to surrender to the authorities a Dog which has inflicted a Severe Injury on a person	\$500.00	4.26
Permitting a Vicious Dog to be At Large	\$2000.00	5.1
Failure of an Owner to take all necessary steps to prevent a bite or attack by a Vicious Dog	\$2000.00	5.2
Failure to Muzzle or otherwise secure in accordance with this Bylaw a Vicious Dog when off the Owner's property	\$2000.00	5.3
Failure to confine a Vicious Dog when at the Owner's residence in accordance with this Bylaw	\$2000.00	5.4
Failure to post Warning Signs of a Vicious Dog in accordance with Bylaw	\$1000.00	5.11 (a)
Breeding or selling a Vicious Dog within the municipality	\$1000.00	5.11 (b)
Failure to advise authorities if a Vicious Dog becomes At Large	\$1000.00	5.11 (c)
Failure to ensure that a Licence is worn when a Vicious Dog is off the premises of the Owner	\$1000.00	5.11 (d)
Failure to have or provide a proper insurance policy for a Vicious Dog	\$1000.00	5.12
Failure to advise the authorities a Vicious Dog has inflicted a Severe Injury	\$1000.00	5.13
Keeping Livestock contrary to Bylaw	\$200.00 plus \$50.00 per day	6.1
Keeping Hens without a Laying Hens Licence	\$200.00 plus \$50.00 per day	6.2
Keeping an Apiary without an Urban Beekeeping Licence	\$200.00 plus \$50.00 per day	6.3
Keeping or permitting to be kept Urban Livestock in contravention of the terms and conditions of a Laying Hens Licence or the Urban Beekeeping Licence	\$200.00 plus \$50.00 per day	6.6
Keeping any Prohibited Animal contrary to Part 7 – Prohibited Animals	\$1000.00 plus \$100.00 per day	7.1
Any offence under this Bylaw for which a penalty is not otherwise provided	\$50.00	9.1