

**THORHILD COUNTY
BYLAW NO. 02-2017**

A BYLAW OF THORHILD COUNTY, IN THE PROVINCE OF ALBERTA, TO REGULATE PROHIBITED ANIMALS WITHIN MUNICIPAL BOUNDARIES OF THORHILD COUNTY.

WHEREAS Section 7 (h) of the Municipal Government Act, R.S.A. 2000, Chapter M-26 as amended ("the Act") provides authority to Thorhild County to regulate wild and domestic animals and the activities related to them.

NOW THEREFORE the Council of Thorhild County, duly assembled, enacts as follows.

1. Name

1.1. This Bylaw may be cited as the "Prohibited Animal(s) Bylaw".

2. Definitions

The following words and phrases mean:

2.1 **Adjacent** means land or a portion of land that is adjoining to another parcel of land or a portion of land that would be contiguous if not for a public roadway, primary highway, river, stream, or reserve parcel.

2.2 **Chief Administrative Officer** means the Chief Administrative Officer of Thorhild County.

2.3 **Council** means the Council of Thorhild County

2.4 **County** means Thorhild County.

2.5 **Nuisance** means the

2.9.1 noise;

2.9.2 trespass upon property;

2.9.3 threat to public safety;

2.9.4 accumulation of animal waste;

2.9.5 disposal of animal waste;

2.9.6 disposal of material contaminated by animal waste;

2.9.7 disposal of carrion; or

2.9.8 lack of adequate containment or shelter;

Which in the opinion of a Peace Officer, having regard for all circumstances is injurious or obnoxious or likely to unreasonably injure,

endanger or detract from the comfort, repose, health, peace or safety of persons or property within the boundary of the County.

- 2.6 **Owner** means any person, partnership, association, or corporation owning, possessing or having charge of or control over any animal.
- 2.7 **Peace Officer** means a member of the Royal Canadian Mounted Police, a Community Peace Officer whose appointment includes enforcement of the County's Bylaws, or a Bylaw Enforcement Officer appointed by the County.
- 2.8 **Prohibited Animals** are those animals that are not permitted within Thorhild County as listed in Schedule "A" of this Bylaw.
- 2.9 **Violation Ticket** means a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act*, RSA 2000, c.P-34, as amended, and Regulations.

3. APPLICABILITY OF THE BYLAW

- 3.1. This bylaw regulates Prohibited Animals upon all properties within Thorhild County, regardless of parcel size or land-use District.
- 3.2 Nothing in this Bylaw shall be constructed to supersede the provisions of the Thorhild County Land Use Bylaw 1194-2015 as amended or replaced from time to time or Thorhild County Animal Control Bylaw- also known as the Dog Control Bylaw 1162-2013 as amended or replaced from time to time.
- 3.3 This Bylaw will be enforced on a complaint basis. Complaints must be provided on the County's formal Complaints form.

4. PROHIBITED ANIMALS

- 4.1. This bylaw regulates Prohibited Animals upon all properties within Thorhild County, regardless of parcel size or Land Use District as identified in the Thorhild County Land Use Bylaw 1194-2015 as amended or replaced from time to time.
- 4.2 No person shall keep, either on a permanent or temporary basis, Prohibited Animals, on any property within Thorhild County Boundaries.
- 4.3 Any Prohibited Animals located within the County must be euthanized or removed from the County within seven (7) days of receiving written notice from a Peace Officer; the cost of removal will be solely the responsibility of the landowner.

5. OFFENCES

- 5.1 Any person who keeps or harbors any animals within the municipal boundaries of the County which create a Nuisance as defined by this Bylaw is guilty of an offence.
- 5.2 Any person who keeps or harbors any prohibited animals as identified in Schedule "A" of this Bylaw within the municipal boundaries is guilty of an offence.

6. PENALTIES

- 6.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a penalty. The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "B" of this Bylaw in respect of that provision.
- 6.2 Where a Peace Officer believes that a person has contravened any provision of this Bylaw, he may serve upon such person a Violation ticket in accordance with Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2002 c. P-34.
- 6.3 Where any person has been convicted a second time under the same section of this Bylaw within a TWENTY-FOUR (24) month period, the specified penalty payable in respect of the second contravention shall be in the amount as shown in accordance with Schedule "B", for a second offense.
- 6.4 Where any person has been convicted under the same section if this Bylaw more than two (2) times within a TWENTY FOUR (24) month period, the specified penalty payable in respect of the third or subsequent contravention shall be in the amount shown in accordance with Schedule "B" for the third offence.

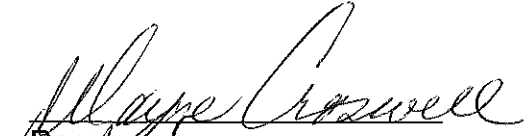
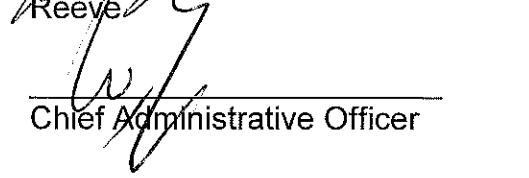
7. SERVERABILITY

- 7.1 Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a Court of competent jurisdiction all other provisions of this Bylaw will remain valid and enforceable.

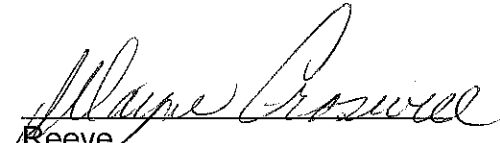

8. EFFECTIVE DATE

- 8.1 This Bylaw shall come into effect at such time as it has received third (3rd) reading and has been signed in accordance with the *Municipal Government Act*.

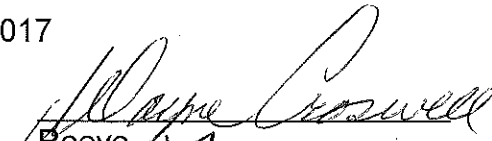

First reading this 14th day of February, 2017


Reeve

Chief Administrative Officer

Second reading this 14th day of February, 2017


Reeve

Chief Administrative Officer

Third and final reading this 28th day of February, 2017


Reeve

Chief Administrative Officer

Approved by Official Administrator dated: April 19, 2017

SCHEDULE "A"
Prohibited Animals

1. Wild Boar (*Sus scrofa*)

SCHEDULE "B"

Penalties

SCHEDULE B - PENALTIES		
OFFENCE	SECTION	PENALTY
Keeping or harboring any Prohibited Animals in Schedule "A"	5.2	First Offence \$1000.00 minimum; Second Offence \$2000.00; Third Offence \$4000.00