

**SMOKY LAKE COUNTY
IN THE PROVINCE OF ALBERTA
BYLAW NO. 1307-17**

A BYLAW OF THE MUNICIPALITY OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA BEING A BYLAW OF SMOKY LAKE COUNTY FOR THE PURPOSE OF REGULATING PROHIBITED ANIMALS WITHIN THE MUNICIPAL BOUNDARIES OF SMOKY LAKE COUNTY.

WHEREAS the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended or repealed and replaced from time to time, provides the Council of Smoky Lake County the authority to pass bylaws respecting enactments other than the *Municipal Government Act*.

WHEREAS Section 6 of the *Agricultural Pests Act* states that: a local authority shall take active measures to prevent the establishment of, or control or destroy pests in the municipality.

NOW THEREFORE the Council of Smoky Lake County, in the Province of Alberta, hereby enacts as follows:

1. This Bylaw may be cited as the **“Prohibited Animal(s) Bylaw”**.

2. DEFINITIONS

2.1 **“Act”** means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.

2.2 **“Chief Administrative Officer”** means the chief administrative officer of the municipality appointed under the *Municipal Government Act*.

2.3 **“Council”** means the municipal Council of Smoky Lake County.

2.4 **“Municipality”** means Smoky Lake County formed under the *Municipal Government Act*.

2.5 **“Order”** means an order issued under this bylaw in accordance with the Act.

2.6 **“Bylaw Enforcement Officer”** means a Community Peace Officer appointed pursuant to the *Peace Officer Act*, R.S.A 2000, c. P-35, as amended, for the County and/or members of the Royal Canadian Mounted Police.

2.7 **“Land Owner”** includes but is not limited to one or more individuals, partnerships, bodies corporate, unincorporated organizations, governments, government agencies, trustees, executors, administrators or other legal representatives, other than the County or its legal representatives.

2.8 **“Prohibited Animal”** are those that are not permitted within Smoky Lake County and are listed in **Schedule “A”** of this Bylaw.

3. LANDOWNER RESPONSIBILITY

3.1 A landowner shall take active measures to prevent the establishment of, and control or destroy at Prohibited Animals on their property.

4. AUTHORIZATION

4.1 **Agricultural Fieldman**

4.1.1 Under the *Agricultural Service Board Act* an *Agricultural Fieldman* is by virtue of that office an inspector under this Act.

4.1.2 Will supervise, direct and be responsible for other Council appointed Pest Inspectors.

4.2 Bylaw Enforcement Officer

- 4.2.1 Will be appointed by Council as an Inspector under the Agricultural Pests Act for the purposes of carrying out this Bylaw.
- 4.2.2 Will follow this Bylaw and other procedures as determined by the Agricultural Fieldman and Chief Administrative Officer.

5. PROHIBITED ANIMALS

- 5.1 This bylaw regulates Prohibited Animals upon all properties within Smoky Lake County, regardless of parcel size or Land Use District.
- 5.2 No person shall keep, either on a permanent or temporary basis, any Prohibited Animals on any property within Smoky Lake County boundaries.
- 5.3 Any persons keeping Prohibited Animals must, upon receiving written notice from an Enforcement Officer, euthanize or remove Prohibited Animals from the County within such timeframe specified in the notice.
- 5.4 The cost of removal of the Prohibited Animals will be solely the responsibility of the person keeping the Prohibited Animals.

6. OFFENCES AND PENALTIES

- 6.1 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.
- 6.2 Where a Bylaw Enforcement Officer reasonably believes that a person has contravened any provisions of this Bylaw, they may serve upon such person an offence penalty as listed in **Schedule "B"** of this Bylaw.
- 6.3 Section 23 of the Alberta Agricultural Pests Act states that: A person who contravenes this Act or the regulations is guilty of an offence and liable to a fine of not more than \$5000.

7. SEVERABILITY

Should any provision of this Bylaw be invalidated by any means, then the invalid provision shall be severed and the remaining provisions of this Bylaw shall be maintained and in full effect.

8. REPEAL AND EFFECTIVE DATE

This Bylaw comes into effect on the date of final passing.

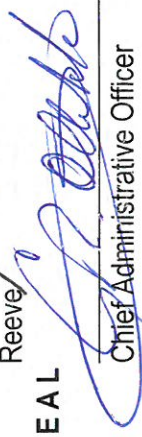
READ A **FIRST TIME** IN COUNCIL THIS 12th day of October, AD 2017.

READ A **SECOND TIME** IN COUNCIL THIS 12th day of October, AD 2017.

READ A **THIRD AND FINAL TIME** IN COUNCIL THIS 12th day of October, AD 2017.


Reeve

SEAL


Chief Administrative Officer

SCHEDULE "A- Prohibited Animals"

Prohibited Animals

1. Wild Boar (*Sus scrofa*)

SCHEDULE "B" - Fines

Fines

Keeping or harboring any Prohibited Animals list in Schedule "A"	Section 6.1	First Offence \$1000.00 Second Offence \$2000.00 Third Offence \$4000.00
--	-------------	--