

# BYLAW NO. 2016/25

## A BYLAW OF RED DEER COUNTY, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING PROHIBITED ANIMALS WITHIN THE MUNICIPAL BOUNDARIES OF RED DEER COUNTY.

Pursuant to the authority conferred upon it by the Municipal Government Act, the Council of Red Deer County hereby enacts as follows:

### 1.0 TITLE

- 1.1 This Bylaw may be referred to as the “Prohibited Animals Bylaw.”

### 2.0 DEFINITIONS

In this bylaw, unless the content otherwise requires:

- 2.1 *Council* and *County Council* mean the Council of Red Deer County, Province of Alberta.
- 2.2 *County* means Red Deer County, Province of Alberta.
- 2.3 *County Manager* means the Chief Administrative Officer of Red Deer County or his delegate.
- 2.4 *General Penalty Bylaw* means the County’s General Penalty Bylaw as amended or replaced from time to time.
- 2.5 *Peace Officer* means
- (a) a member of the Royal Canadian Mounted Police, and
  - (b) a Peace Officer appointed for Red Deer County pursuant to the *Peace Officer Act*, SA 2006, c. P-35
- 2.6 *Prohibited Animal* are those animals that are not permitted within Red Deer County and are listed as follows: Wild Boar (*Sus scrofa*).

### 3.0 AUTHORITY

- 3.1 The County Manager is hereby authorized to administer and enforce the provisions of this bylaw and may levy charges in accordance with this bylaw or as may be authorized by Council pursuant to the provisions of this bylaw. When this bylaw authorizes the County to act or gives to the County a discretion, the County Manager is authorized to act on behalf of the County.

### 4.0 PROHIBITED ANIMALS

- 4.1 This bylaw regulates Prohibited Animals upon all properties within Red Deer County regardless of parcel size or Land Use District.
- 4.2 No person shall keep, either on a temporary or permanent basis, Prohibited Animals on any properties within Red Deer 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 at the sole responsibility of the landowner.

**5.0 OFFENCES AND PENALTIES**

- 5.1 A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and liable upon summary conviction to the specified penalty set out in the General Penalty Bylaw, and in default of payment of any penalty, to imprisonment for up to 6 months.
- 5.2 Where a Peace Officer reasonably believes that a person has contravened any provision of this Bylaw, the Peace Officer may, in addition to any other remedy at law, serve upon the person a violation tag, in the form used by the County, allowing payment of the penalty as set out in the General Penalty Bylaw for the particular offence, which payment will be accepted by the County in lieu of prosecution for the offence, or a Peace Officer may issue a violation ticket in accordance with the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34 (as amended), allowing a voluntary payment of the penalty as set out in the General Penalty Bylaw, or, requiring a person to appear in court without the alternative of making a voluntary payment. The recording of the payment of a penalty made to the County or the Provincial Court of Alberta shall constitute an acceptance of a guilty plea and conviction for the offence.
- 5.3 Any person who contravenes the same provision of this Bylaw after the date of the first contravention is liable to the specified penalties for such second, third or subsequent offence in the amount set out in the General Penalty Bylaw.
- 5.4 This section shall not prevent any Peace Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act.

**6.0 SEVERABILITY**

- 6.1 Should any clause or part of this bylaw be found to have been improperly enacted, for any reason, then such clause or part shall be regarded as being severable from the rest of this bylaw and the bylaw remaining after such severance shall be effective and enforceable as if the clause or part found to be improperly enacted had not been enacted as part of this bylaw.

**FIRST READING:                    AUGUST 2, 2016**  
**SECOND READING:                AUGUST 2, 2016**  
**THIRD READING:**

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MAYOR  
Date Signed:

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COUNTY MANAGER  
Date Signed: