

BYLAW NO. 748

A BYLAW OF THE COUNTY OF WARNER NO. 5, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION AND CONTROL OF ANIMALS WITHIN THE COUNTY OF WARNER NO. 5.

WHEREAS, Section 164 of the Municipal Government Act R.S.A. 1980, Chapter M-26 and the amendments thereto authorize the Council of the County of Warner No. 5 to pass a By-law regulating and controlling animals within the Hamlets of the County of Warner No. 5.

WHEREAS Council deems it advisable to regulate and control the animals within the Hamlets of the County of Warner No. 5 in the Province of Alberta to provide for the safety, cleanliness and environmental protection of the Hamlets and its residents.

NOW THEREFORE, the Council of the County of Warner No. 5 in the Province of Alberta does hereby enact as follows:

Definitions

"Animal" shall mean horses, cattle swine donkeys, mules, oxen, sheep, goats, fur bearing animals raised for pelts and any other animals that are deemed to be inappropriate by the County of Warner No. 5.

"Fowl" shall mean chickens, geese, turkeys, ducks and any other fowl as deemed to be inappropriate by the County of Warner No. 5.

"County" means the County of Warner No. 5.

"Hamlets" mean the hamlets located within the County of Warner No. 5.

General

1. No person shall keep or maintain any animal or fowl in the Hamlets of the County, without first obtaining an Animal Control Permit issued by the County Office, within the areas as described below:
  - a. In the Hamlet of New Dayton, no animals or fowl shall be maintained within the area described as southwest of Front Street, north of Eighth Avenue and the north/south County road between Sections 32 and 33 of 5-18-W4.
  - b. In the Hamlet of Wrentham, no animals or fowl shall be maintained within the area described as south of Railway Avenue and north of the south boundary of the Hamlet.
2. Animals and fowl will be allowed within the above areas, without a permit, only on days when the annual parade or a Hamlet celebration is being held.
3. No permit will be issued prior to an inspection of the location noted on the application to ensure adequacy of security and space for forage.
4. Application for a permit will be obtained from the County office in the form provided. Applications will be completed in detail. Any other information the County may require, or consider appropriate, shall be supplied to ensure all information is considered in each application.
5. The County may revoke any permit or vary the terms and conditions of such at any time. In particular, any permit shall be revoked, but not limited to, if the premises where the animal is being kept is not kept clean and sanitary, so as to control the nuisance of manure, flies, odour, or filth. Upon receipt of a written complaint with justifiable concerns, each permit location is subject to an unscheduled inspection by the County and/or its agent.
6. Permits will be issued in accordance to the following guidelines which shall become part of this bylaw and enforcement of this bylaw will commence on July 1, 1993 until such time as there is an amendment to this bylaw.
  - a) One (1) large animal per acre (horse, cow mule etc...)
  - b) Two (2) medium animals per acre (calf, goat, sheep, etc...)
  - c) All permit requests for smaller animals and fowl (excluding dogs and cats) will be reviewed and approved according to the regulations and guidelines provided by the appropriate Provincial and Federal government departments.
  - d) Upon a written request and an inspection of premises, a permit may be

granted for one (1) animal on less than an acre.

- e) Permits shall not be issued for pigs. Pigs shall not be allowed in the Hamlets of the County.
7. Animal permit applications on land zoned as Hamlet Transitional/Agricultural, according to the County Land Use Bylaw, will be exempt from the limitation of animal numbers, however Hamlet Transitional/Agriculturally zoned land may not operate as a feedlot and is subject to all other regulations and guidelines expressed in this bylaw.
  8. The County and/or its agents shall take into consideration all factors which may be to the best interest of the Hamlets as a whole and, in particular, the surrounding neighbourhood, and may:
    - a) Grant a permit or,
    - b) Grant a permit subject to conditions or
    - c) Refuse any application as they may deem advisable.
  9. Following an issuance of a permit, the County and/or its agents, shall inspect each permit location to determine its validity.
  10. Within seven (7) days of the expiration of a permit or as otherwise required by the County, each property owner is responsible for a general clean-up of the animal area, complete to the abatement of all nuisances and to the satisfaction of the County. Failure to do so will be justification for the County to have the cleanup undertaken and to assess any incurred costs against the property.
  11. There may be an Administration fee assessed for each permit, in accordance with the fee policy, attached as Schedule "A".
  12. All animal permits will be issued for a twelve (12) month period from the date of issuance unless otherwise stated on the application.
- Penalties
13. Any person keeping or maintaining any animal in the Hamlets, without a permit, or any person failing to remove any animal from the Hamlets, after a permit to keep such animals has been revoked, is guilty of an offense and may be issued a violation ticket as indicated in Schedule "B".
  14. Where a contravention of this By-Law is of a continuing nature, further violation tickets may be issued by the County and/or its agent, provided that no more than one violation ticket shall be issued for each day that the contravention continues.
  15. Nothing in this By-Law shall prevent the County from immediately issuing a violation ticket for the mandatory Court appearance of any person who contravenes any provision of this By-Law.
  16. All charges and costs that are left unpaid shall be added to the landowner's property tax account and collected in that manner.

READ A FIRST TIME THIS 20 DAY OF APRIL, 1993

READ A SECOND TIME THIS 20 DAY OF APRIL, 1993

READ A THIRD TIME THIS 20 DAY OF APRIL, 1993

REEVE

\_\_\_\_\_

ADMINISTRATOR

\_\_\_\_\_

SCHEDULE "A"

ANIMAL CONTROL BYLAW FEE SCHEDULE

PERMIT FEE \$10.00

SCHEDULE "B"

ANIMAL CONTROL BYLAW PENALTY SCHEDULE

1. KEEPING OR HARBOURING ANY ANIMAL WHERE PROHIBITED IN THE BYLAW.  
PENALTY OF \$100.00
  
2. KEEPING OR HARBOURING ANY ANIMAL IN NUMBERS IN EXCESS OF THOSE DESCRIBED IN THE BYLAW.  
PENALTY OF \$100.00
  
3. KEEPING OR HARBOURING ANY ANIMAL OR FOWL WHICH CONSTITUTE A NUISANCE DESCRIBED WITHIN THE BYLAW.  
PENALTY OF \$150.00

COUNTY OF WARNER NO. 5  
HAMLET ANIMAL CONTROL BYLAW  
PERMIT APPLICATION

DATE: \_\_\_\_\_

APPLICANT NAME: \_\_\_\_\_

LOCATION: LOT(S) \_\_\_\_\_ BLOCK \_\_\_\_\_ PLAN \_\_\_\_\_

HAMLET: \_\_\_\_\_

SIZE OF PASTURE OR LOT: DIMENSIONS (FEET) \_\_\_\_\_ BY \_\_\_\_\_

ACRE(S) \_\_\_\_\_

PERIOD OF TIME: \_\_\_\_\_ TO \_\_\_\_\_

KIND OF ANIMALS

SPECIES	NUMBER	_____
SPECIES	NUMBER	_____
SPECIES	NUMBER	_____
SPECIES	NUMBER	_____

DESCRIPTION OF EXISTING BUILDINGS ON THE PROPERTY:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DESCRIPTION OF WATERING FACILITIES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLANS AND LOCATION FOR DISPOSAL OF MANURE AND WASTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I SWEAR THAT THE ABOVE INFORMATION IS ACCURATE IN ALL ITS DETAIL, AND FURTHER, AGREE TO ABIDE BY ALL THE REGULATIONS AS OUTLINED IN THE ANIMAL CONTROL BYLAW OF THE COUNTY OF WARNER NO. 5.

WITNESS (SIGNATURE)

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
APPROVED BY COUNTY OF WARNER NO. 5