

**VILLAGE OF WARNER
ANIMAL BYLAW 616-23**

BEING A BYLAW OF THE VILLAGE OF WARNER TO PROVIDE FOR THE REGULATION AND CONTROL OF ANIMALS WITHIN THE VILLAGE OF WARNER.

WHEREAS pursuant to the Municipal Government Act, Chapter M-26 RSA 2000, and any amendments thereto, the Council may pass a bylaw to regulate and control Animals within the Village of Warner.

WHEREAS Bylaw 613-23 regulates dogs in the Village and are thus not addressed within this Bylaw.

WHEREAS Council deems it advisable to regulate and control the Animals within the Village of Warner in the Province of Alberta to provide for the safety, cleanliness and environmental protection of the Village and its residents.

NOW THEREFORE, the Council of the Village of Warner duly assembled, enacts as follows:

1. TITLE

1.1. This Bylaw may be cited as the "Animal Control" Bylaw.

2. DEFINITIONS

"Animal" shall mean any bird, reptile, amphibian, or mammal excluding humans and Wildlife.

"Designated Officer" means the Chief Administrative Officer, Bylaw Enforcement Officer, RCMP Officer, Peace Officer, and/or Fire Chief of the Village of Warner or their duly authorized assistants.

"Livestock" includes, but is not limited to:

- a) a horse, mule, donkey, swine, camel, llama, alpaca, sheep or goat;
- b) domestically reared or kept deer, reindeer, moose, elk, or bison;
- c) farm bred fur bearing Animals including foxes or mink;
- d) Animals of the bovine species;
- e) Animals of the avian species including emus, ostriches, chickens, turkeys, ducks, geese, peacocks, peahens, or pheasants; and
- f) all other Animals that are kept for agricultural purposes including bee colonies, and does not include cats, dogs, or other domesticated household pets.

"Livestock Emotional Support Animal" means a companion Animal that a mental health professional has determined provides a benefit for an individual with a disability.

"Owner" means any Person:

- a) who has the care, charge, custody, possession or control of the Animal;
- b) who owns or claims a proprietary interest in the Animal; or
- c) who harbours, suffers, or permits an Animal to be present on any property owned or under their control.

"Village" shall mean the Village of Warner.



3. LIVESTOCK

- 3.1. No person shall keep or maintain any Livestock in the Village, without first obtaining an Animal Control Permit issued by the Village office, within the areas as described below:
 - 3.1.1. In the Village of Warner South of First (1st) Avenue and only on properties that are at the least 2.4711 acres
 - 3.1.2. Chickens - 1st Avenue North
- 3.2. Livestock will be allowed within the Village, without a permit, only on days when a parade or a celebration is being held.

4. PERMITS

- 4.1. Application for a permit will be obtained from the Village office in the form provided. Applications will be completed in detail. Any other information the Village may require, or consider appropriate, shall be supplied to ensure all information is considered in each application.
- 4.2. The Village and/or its Designated Officers shall take into consideration all factors which may be to the best interest of the Village as a whole and, in particular, the surrounding neighbourhood and may:
 - 4.2.1. Grant permit; or
 - 4.2.2. Grant a permit subject to conditions; or
 - 4.2.3. Refuse any application as they may deem advisable.
- 4.3. The Village 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 Village and/or its Designated Officer.
- 4.4. Permits will be issued in accordance to the following guidelines:
 - 4.4.1. All permit requests for Animals (excluding dogs and cats) will be reviewed and approved according to the regulations and guidelines provided by the appropriate Provincial and Federal government departments.
 - 4.4.2. One (1) large Animal per acre, no matter the age (for example, two (2) horses and (one)1 cow with calf would be four (4) permits; or one (1) mare with foal would be two (2) permits)
 - 4.4.3. Two (2) small Animals per acre (goat, sheep, etc.) No more than six (6) chickens will be allowed in the Village, with absolutely no allowance for roosters.
 - 4.4.4. Permits shall not be issued for pigs. Pigs shall not be allowed in the Village.
 - 4.4.5. Stallions (possibly short term, with special security requirements and upon individual request to council).
 - 4.4.6. Bulls (possibly short term, with special security requirements and upon individual request to council).
 - 4.4.7. Livestock Emotional Support Animal(s) may be permitted in the Village outside of provision 3.1.1, provided conditions set during the permit stage are met.
- 4.5. Permits may be issued after an inspection of the location noted on the application to ensure adequacy of fence/corral, security, and space for forage.

7/2 W

- 4.6. Following an issuance of a permit, the Village and/or its Designated Officer, shall inspect each permit location to determine its validity.
- 4.7. Within seven (7) days of the expiration of a permit or as otherwise required by the Village, each property owner is responsible for a general cleanup of the Animal area, complete to the abatement of all nuisances and to the satisfaction of the Village. Failure to do so will be justification for the Village to have the cleanup undertaken and to assess any incurred costs against the property.

5. FEE SCHEDULE

- 5.1. There will be an administration fee assessed for each permit, in accordance with the fee policy, attached as Schedule A. Recipients of an Animal control permit shall comply with all provincial regulations and legislation concerning public health and the keeping of Animals.
- 5.2. All Animal permits will be issued for a twelve (12) month period from the date of issuance unless otherwise stated on the application.
- 5.3. Any person keeping or maintaining any Animal in the Village without a permit, or any person failing to remove any Animal from the Village after a permit to keep such Animal has been revoked and/or expired, is guilty of an offense and may be issued a violation ticket as indicated in Schedule B.

6. GENERAL

- 6.1. Where a contravention of this Bylaw is of a continuing nature, further violation tickets may be issued by the Village and/or its Designated Officer, provided that no more than one violation ticket shall be issued for each day that the contravention continues.
- 6.2. Nothing in this Bylaw shall prevent the Village from immediately issuing a violation ticket for the mandatory Court appearance of any person who contravenes any provision of this Bylaw.
- 6.3. All charges and costs that are left unpaid shall be added to the landowner's property tax account and collected in that manner.

7. SEVERABILITY

- 7.1. It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

8. REPEAL OF BYLAW

- 8.1. That Bylaw No. 543-13 and amendments thereto are hereby repealed.

9. EFFECTIVE DATE

- 9.1. This Bylaw shall take effect at the date of final passing thereof.

Read for the first time this 17th day of May, 2023



Read for the second time this 17th day of May, 2023

Unanimous consent be given consideration for third reading this 17th day of May, 2023.

Read for a third and final time this 17th day of May, 2023



Tyler Lindsay
Mayor



Kelly Lloyd
Chief Administrative Officer



Schedule A: Permit Fee

Large Animals	\$20.00/Head
Small Animals	\$15.00/Head
Chickens	\$3.00/Head

Schedule B: Animal Control Bylaw Penalty Schedule

- 1. Keeping or harbouring any Animal where prohibited in the bylaw \$250.00
- 2. Keeping or harbouring any Animal in numbers more than those described in the bylaw \$250.00

