VILLAGE OF STIRLING
IN THE PROVINCE OF ALBERTA
Bylaw No. 471-17
Animal Control Bylaw

A BY-LAW OF THE VILLAGE OF STIRLING IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING AND CONTROLLING WILD AND DOMESTIC ANIMALS IN THE VILLAGE OF STIRLING

WHEREAS, the Municipal Government Act RSA 2000, Chapter M-26 and amendments thereto, authorize a Council pass bylaws to regulate and control wild and domestic animals and activities in relation to them within the Village of Stirling,

AND WHEREAS the Municipal Government Act RSA 2000, Chapter M-26 and amendments thereto, authorize a Council pass bylaws in regards to safety, health and welfare of people and the protection of people and property,

AND WHEREAS the keeping of any species of animals within the Village of Stirling may constitute a nuisance,

NOW THEREFORE the Council of the Village of Stirling, in the Province of Alberta, duly assembled, thereby enacts as follows:

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

DEFINITIONS

2. In this Bylaw, the following words mean:

a) “Administrator” means the Chief Administrative Officer of the Village of Stirling.

b) “Agricultural properties” means properties identified as Agricultural (A) within the Village’s Land Use Bylaw.

c) “Animal” means all animals including livestock, poultry and wildlife excluding dogs and cats for the purpose of this Bylaw.

d) “Council” means the Municipal Council of the Village of Stirling.

e) “Designated Officer” means the Chief Administrative Officer, Bylaw Enforcement Officer, R.C.M.P. Officer, Development Officer and or a Peace Officer.

f) “Feedlot” means an animal feeding operation which is used for finishing livestock, for commercial sale, prior to slaughter.

g) “Inspector” means a Public Health Inspector for the Medical Officer of Health of the Chinook Regional Health Authority, a Police Officer, a Bylaw Enforcement Officer or other designated individuals appointed by the Village of Stirling for the purpose of enforcing this bylaw.

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h) “Livestock” includes but is not limited to: horses, cattle, sheep, swine, goats, rabbits, and fur-bearing animals raised in captivity.

i) “Owner” means any natural person or body corporate:
   i) who is the licensed Owner of the animal;

   ii) who has legal title of the animal;

   iii) who has legal control, possession or custody of the animal, either temporarily or permanently; or

   iv) who harbours the animal, or allows the animal to remain on his premises;

j) “Poultry” includes chickens, ducks, geese, and turkeys.

k) “Village” means the Municipal Corporation of the Village of Stirling.

l) “Wildlife” means all wildlife as defined in the Wildlife Act, or as designated in the regulations thereto, and includes big game, birds of prey, endangered animals and migratory game birds.

PROHIBITION

3. a) No person shall have or keep swine (pig) within the Village.

   b) No person shall be allowed to operate a feedlot within the Village.
   c) No person shall keep or maintain any animal within the Village without first having obtained a permit, unless the location in which such animal is kept falls within one of the following classifications.

      i) The Riding Arena facilities over which the Silver Saddle Club assumes responsibility and control only in connection with a scheduled event.

      ii) Municipally licensed Veterinary clinics or veterinary hospitals.

      iii) Village pound.

      iv) During the parade and celebration held annually within the Village, Settler Days

PERMITS

4. An Owner may make application to the Village to be granted a yearly animal permit. No permit will be issued prior to an inspection of the location noted on the application to ensure adequacy of security, space and feed.

   a) Application for any permit to maintain any animal in the Village shall be made on the form provided (appendix A attached to and forming a part of this Bylaw).

      All particulars required on the form shall be completed in detail as well as any other information which the Village may require or consider appropriate in considering the application;

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b) The Designated Officer or Inspector entitled to issue permits shall take into consideration all factors which may be to the best interest of the Village as a whole and the neighborhood in particular, and may:

   i) grant a permit (appendix B attached to and forming part of this bylaw);

   ii) grant it subject to certain conditions; or

   iii) refuse it, as may be considered advisable.

c) The Village may revoke any permit or vary the terms and conditions of such at any time. In particular, any permit shall be revoked by reason of, but not limited to, the premises where the animal is kept, not being clean and sanitary so as to control the nuisance of manure, flies, odor, or filth, or upon receipt of a written complaint complete with justifiable concerns. Each permit location is subject to unscheduled inspection by the Village.

d) The holder of any permit issued pursuant to this bylaw shall also be responsible for compliance with all provincial regulations and legislation concerning public health and the keeping of animals.

e) All animal permits shall have an expiry date which if not specified shall be deemed to be the end of the year in which it was issued.

f) The Owner shall be responsible for the completing of a general clean up of the animal area complete to the abatement of all nuisances and to the satisfaction of the Village within seven days of the expiry of a permit or as otherwise required by the Village. Failure to do so will be justification for the Village to have the clean up undertaken and to assess any incurred costs against the property.

g) There shall be cost for each permit assessed, as outlined in Appendix C. A maximum of two (2) livestock per acre is allowed. A maximum of 25 poultry per one (1) acre parcel or greater is allowed. Properties with less than one (1) acre may have up to a maximum of 8 poultry. Livestock are prohibited on properties with less than one (1) acre.

h) The permit fee for agricultural properties up to 10 acres shall be a flat fee, as outlined in Appendix C. A maximum of two livestock per acre is allowed with the maximum not to exceed 10 livestock. The maximum poultry allowed on any parcel is 25.

i) Applications for wildlife require the submission of a current Provincial Permit, in accordance with the Wildlife Act and Regulations, that authorizes the applicant to be in possession of such wildlife.

DANGEROUS TO HEALTH

5. No person while raising livestock or poultry shall create, establish or maintain:

   a) Any stable byre or other building in which birds or animals are kept in such a manner or in such numbers as to be injurious or dangerous to health, or which may hinder in any manner the prevention or suppression of disease.

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b) Any accumulation or deposit of refuse, wherever situated, which is injurious or dangerous to health, or which may hinder in any manner the prevention or suppression of disease.

c) Any deposit of offensive matter, refuse, offal or manure contained in uncovered vehicles at any station or siding or elsewhere so as to be injurious or dangerous to health, or which may hinder in any manner the prevention or suppression of disease.

d) Any accumulation or deposit of refuse, wherever situated for so long a period as to provide a breeding place of flies or creation of odors.

CONTROL OF LIVESTOCK OR POULTRY

6. a) All livestock or poultry while not under direct control of a person shall be placed in a fenced or other secure area which will prevent the free roaming of such livestock or poultry.

b) Where livestock trespass within the Village on any:

i) public lands owned by the Village including highways;

ii) lands privately owned without the consent of the owner of these lands;

a Peace Officer may capture and confine such livestock.

CAPTURE OF LIVESTOCK BY PEACE OFFICER

7. When livestock have been captures pursuant to section 6. subsection b) the Peace Officer shall report the capture and deliver the livestock to the Alberta Livestock Investigator of the Department of Agriculture of the Province of Alberta.

INSPECTOR

8. a) Upon receiving a complaint of a violation of this bylaw, the inspector shall inquire into the facts, visit the place complained of, therewith and for such purposes may enter upon, inspect, and examine the place.

b) If, upon inspection, the Designated Officer or Inspector is of the opinion there is a violation of this bylaw, he may serve a written notice on the person by whose act, default or sufferance the infraction arises or continues, requiring him to abate the same within time to be specified in the notice, and to execute such works and do such things as may be necessary for that purpose.

c) Where the person responsible fails to comply with and within the time fixed by the notice, the Village may do so at the expense of the person responsible. If the expense and costs so incurred is not paid by the owner, the same may added to the tax roll and collected in like manner as municipal taxes or by action in any court of competent jurisdiction.

PENALTIES

9. a) Any person violating any of the provision of this Bylaw shall be subject to a fine as outlined in Appendix C.

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b) Any fine is exclusive of costs and in the case of non-payment of the fine and costs; the Village may recover such fine in a like manner as taxes assessable against the property. [Municipal Government Act 553(1) (g.1)]

c) A Designated Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part 2 of the Provincial Offences Procedure Act of the Statutes of Alberta 1988, being Chapter P-21.5 and as amended.

10. Bylaw 363 is hereby repealed.

11. This bylaw shall become effective upon the third and final reading.

READ A FIRST TIME THIS THE 17 DAY OF MAY 2017

READ A SECOND TIME THIS THE __ DAY OF _____ 20__

READ A THIRD TIME AND PASSED THIS THE ___ DAY OF _____ 20__

_____
Mayor - Ben Nilsson

_____
CAO - Mike Selk

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APPENDIX A

ANIMAL PERMIT APPLICATION
Bylaw No. 471-17

Applicant Name	
Applicant Address	
Applicant Phone No.	
Location of Animal(s)	

List all the Animal(s) looking to obtain a Permit for within the municipal boundaries of the Village of Stirling.

Type of Animal	Number of Animals

_____ _____

Date Signature of Applicant

The personal information requested on this form is being collected for the Animal Permit Application as required by the Village of Stirling, under the authority of the Municipal Government Act and is protected by the *Freedom of Information and Protection of Privacy Act* (the FOIP Act). If you have any questions about the collection or use of your personal information, contact the Village of Stirling office at 403-756-3379.

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For Office Use Only:

Permit No.: _____ Date: _____

Amount Paid: _____ Completed by: _____

APPENDIX B

ANIMAL PERMIT

The Village of Stirling hereby grants the following Animal Permit.

Permit Date: _____

Permit Holder Name	
Street Address	
Phone Number	

An Animal Permit is hereby granted to keep the following animal(s) within the municipal boundaries of the Village of Stirling.

Type of Animal	Number of Animals

Property Location and Permit Conditions:

Lot(s)	Block	Plan
Street Address		
This Animal Permit is granted subject to the following conditions:		

Type of Permit	Permit Expiry Date

This Animal Permit is granted subject to the provisions of Bylaw No. 471-17, any other Village Bylaw, and Provincial Legislation regarding regulating animals. All facilities must be kept clean and nuisance controlled to the satisfaction of the Village Designated Officer or Inspector. This permit is subject to review upon the receipt of any written and justifiable complaint at the sole discretion of the Village. This permit may be revoked or amended at any time by the Council of the Village of Stirling.

_____ _____

Designated Officer, Village of Stirling Signature of Applicant

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APPENDIX C

FEES AND PENALTIES

	Amount
Livestock Permit (per animal)	$25.00
Agricultural Property Livestock Permit	$50.00
Poultry Permit	$25.00
Violation Fine (first offense)	$250.00
Violation Fine (subsequent offense)	$500.00

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