

## **BYLAW 2023-06**

### **A BYLAW OF THE COUNTY OF ST. PAUL NO. 19 IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE KEEPING AND CARE OF ANIMALS IN THE COUNTY OF ST. PAUL.**

**Whereas**, the Council of the County of St. Paul may, pursuant to the provisions of the Municipal Government Act, 2000, Chapter M-26 with amendments thereto, establish a bylaw respecting domestic animals and activities in relation to them and the enforcement of bylaws made under this or any other enactment; and

**Whereas**, Council has deemed it desirable to put into effect a process whereby the control of domestic animals can be enforced to ensure the safety, health and welfare of people and animals;

**Now Therefore**, Council of the County of St. Paul No. 19, in the Province of Alberta, duly assembled, enacts as follows:

#### **1. Short title**

1.1 This bylaw may be cited as the Keeping of Animals Bylaw.

#### **2. Definitions**

- (a) "Agricultural land" means the land upon which an agricultural operation operates;
- (b) "Bylaw Enforcement Officer" means
  - i) Any member of the Royal Canadian Mounted Police.
  - ii) Any Community Peace Officer.
  - iii) Bylaw Enforcement Officer appointed as per the County's Bylaw Enforcement Officer Bylaw, as amended from time to time.
  - iv) The Chief Administrative Officer of the County of St. Paul No. 19 or any person designated by the Chief Administrative Officer to enter and inspect property in accordance with the provisions of this Bylaw.
- (c) "Council" means the Council for the County of St. Paul No. 19.
- (d) "Country Residential 1 (CR1) District" is to provide for specific areas where multi-lot country residential development may take place within various parts of the County.
- (e) "County" means the County of St. Paul No. 19.
- (f) "Domestic Pet" means a dog or any other animal that is tamed or domesticated and is kept as a companion or for assistance and is under the control of a human and does not include any type of farm animal.
- (g) "Domestic Pig" is a large, domesticated, even-toed ungulate that traces its

ancestry to the wild boar.”

- (h) “Fowl” means a bird of any kind including domestic and exotic birds.
- (i) “General Urban District” is to provide for the continued viability and orderly infilling of urban type development in the District.
- (j) “Livestock” means livestock (excepting wild boars) as defined in the Agricultural Operation Practices Act.
- (k) “Pot bellied Pig” is any breed of small pigs originating in southeastern Asia and having a straight tail, potbelly, swayback and black, white or black and white coat.
- (l) “Poultry” means domestic birds kept in captivity for the production of eggs, meat and other by-products.
- (m) “Residential Use” means a development comprising a single detached dwelling, manufactured home or other residential building located on a parcel used for residential uses and uses accessory to residential uses. The dwelling may be occupied permanently or seasonally.
- (n) “Violation Tag” means a tag or similar document issued by the County pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26 as amended.
- (o) “Violation Ticket” means a ticket issued pursuant to Part 2 or Part 3 of the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, as amended and regulations thereunder.

### **3. Exemptions**

- 3.1 Domestic Pigs are not permitted to be housed on Country Residential 1 (CR1) parcels or in the General Urban (U) District.

### **4. Property Animal Restrictions**

- 4.1 The keeping of all animals is subject to the regulatory provisions of this Keeping of Animals Bylaw and the County of St. Paul Dog Control Bylaw.
- 4.2 No livestock except for dogs, cats and a maximum of 2 pot bellied pigs or other such domestic pets shall be kept on lots less than 1.2 hectares (3.0 acres) in size.
- 4.3 Notwithstanding 4.2, poultry/fowl, except for roosters, may be kept on Country Residential 1 (CR1) and General Urban District (U), parcels less than 1.2 hectares (3 acres) in size, subject to the following regulations:
  - (a) A maximum of twelve (12) poultry/fowl;

- (b) Owner of the poultry/fowl must reside on the parcel where the poultry/fowl are being housed;
- (c) Pen shall be in the rear yard only and must be setback a minimum of 3 metres (9.8 feet) from the side and rear property boundaries;
- (d) The poultry/fowl cannot be free range. The owner must ensure that by keeping chickens they are not unreasonably interfering with the use and enjoyment of neighbouring properties - this includes disturbance from noise and or odour. Regular cleaning and proper disposal of waste is a must.
- (e) If the poultry/fowl house exceeds 13.9 square metres (150 square feet), development and building permits shall be required and shall meet the minimum setbacks for the district.

4.4 On Country Residential 1 (CR1) parcels the maximum allowable livestock quantities shall be determined by animal units as defined below:

<u>Type of Livestock</u>	<u>Number of Animals Equivalent To One Animal Unit</u>
Cow/Steer (plus calves up to 12 months)	1
Sheep (plus lambs up to 6 months)	5
Goat (plus kids up to 6 months)	5
Horse (plus foal up to 12 months)	1
Poultry: Chicken, quail, pheasant and turkey	10
Rabbit plus kits up to 2 months	15

The maximum allowable livestock quantities shall be determined by lot sizes as defined below:

<u>Lot Area</u>	<u>Maximum Number of Animal Units</u>
1.21 ha (3.00 ac) - 2.42 ha (5.99 ac)	3 animal units
2.43 ha (6.00 ac) – 3.23 ha (7.99 ac)	5 animal units
3.24 ha (8.00 ac) and over	7 animal units

4.5 Subject to section 4.4, any person who houses any type of livestock, must construct suitable fencing to ensure the livestock remains within the confines of the property.

## 5. Penalties

Any person who contravenes a provision of this bylaw is guilty of an offence and is liable to penalty as set out in the Penalties bylaw.

## 6. Violation Tags and Tickets

6.1 A Bylaw Enforcement Officer is authorized and empowered to issue a Violation

Tag to any person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

- 6.2 A Violation Tag may be issued:
- (a) personally, or
  - (b) by mailing a copy of the Violation Tag to the person at their last known mailing address.
- 6.3 The Violation Tag shall state:
- (a) the name of the person; and
  - (b) the offence; and
  - (c) the appropriate penalty for the offence as set out in the County's Penalties Bylaw, as amended from time to time;
  - (d) that the penalty shall be paid within thirty (30) days of the issuance of the Violation Tag;
  - (e) any other information as may be required by the Bylaw Enforcement Officer.
- 6.4 Where a Violation Tag is issued pursuant to this Bylaw, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the County, the penalty specified on the Violation Tag.
- 6.5 If the penalty specified on the Violation Tag is not paid within the prescribed time period then a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 or Part 3 of the *Provincial Offences Procedure Act*, S.A. 2000, c. P-34, as amended from time to time.
- 6.6 Notwithstanding anything in this Bylaw, a Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part 2 or Part 3 of the *Provincial Offences Procedure Act*, S.A. 2000, c. P-34, as amended from time to time, to any person who the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

This bylaw shall come into effect upon the final passing thereof.

Read a first time in Council this 14<sup>th</sup> day of March, A.D. 2023.

Read a second time in Council this 14<sup>th</sup> day of March, A.D. 2023.

Read a third time and duly passed in Council this 14<sup>th</sup> day of March, A.D. 2023.

*(Original signed by Reeve G. Ockerman)*

---

Reeve

*(Original signed by CAO S. Kitz)*

---

Chief Administrative Officer