

**TOWN OF TABER
BYLAW NO. 6-2007**

**BEING A BYLAW OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA
TO PROVIDE FOR THE CONTROL AND PROHIBITION OF CERTAIN EXOTIC
AND WILD ANIMALS WITHIN THE CORPORATE LIMITS OF THE TOWN OF
TABER**

WHEREAS the Municipal Council of the Town of Taber, in the Province of Alberta, duly assembled, may pass a Bylaw and or regulations pursuant to Section 7 of the Municipal Government Act, being Chapter M-26, Revised Statutes of Alberta 2000, and any amendments thereto, dealing with the safety, health and welfare of people and the protection of people and property;

NOW THEREFORE, the Council of the Town of Taber, in the Province of Alberta, duly assembled enacts as follows:

SECTION I TITLE

This Bylaw may be cited as "THE EXOTIC AND WILD ANIMAL BYLAW".

SECTION II DEFINITIONS

- 2.1 **ANIMAL CONTROL OFFICER:** means a person or persons appointed by the Chief Administrative Officer of the Town of Taber to carry out the provisions of this Bylaw.
- 2.2 **ANIMAL:** means any member of the animal kingdom of living beings, excluding humans. Without limitation, "Animal" shall include Mammals, Dogs, Cats, Birds, Reptiles and Insects.
- 2.3 **AT LARGE:** describes any animal, found in any place away from a place either owned or occupied by its owner, and not under the control of any person.
- 2.4 **BYLAW ENFORCEMENT OFFICER:** means a person or persons appointed by the Chief Administrative Officer for the Town of Taber pursuant to the provisions of the Municipal Government Act (MGA), Sections 555(1) and 556 (a) and (b).
- 2.5 **CHIEF ADMINISTRATIVE OFFICER:** means a person appointed to the position by Council of the Town of Taber pursuant to Section 205 (1) of the Municipal Government Act.
- 2.6 **COUNCIL:** means the Municipal Council of the Town of Taber, in the Province of Alberta.
- 2.7 **DAY:** means a continuous period of twenty-four (24) hours.

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- 2.8 **EXOTIC ANIMAL:** means an animal as set out in Section 3.1 of this Bylaw, or such other animals as Council may designate by resolution from time to time.
- 2.9 **OFFICER:** includes a peace officer or police constable or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process; and includes any person assigned the responsibility of administering and enforcing this Bylaw and all persons acting under their instructions.
- 2.10 **OWNER:** includes any person, including the parent or legal guardian of a minor person, who possesses, keeps or harbors one or more animals, or who has legal title to the animal and includes any person who has possession or custody of the animal either temporarily or permanently, or harbors the animal or suffers the animal to remain on property they occupy or in a vehicle in their possession.
- 2.11 **PERSON:** includes an individual, a sole proprietorship, a partnership, an unincorporated association, a trust, a body corporate, and a natural person.
- 2.12 **POUND:** means a place, dwelling that the Town shall provide or designate for the confinement of impounded animals.
- 2.13 **TOWN:** means the Town of Taber in the Province of Alberta.
- 2.14 **VIOLATION TICKET:** means a ticket issued pursuant to Part 2 of the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34, as amended, and regulations thereunder, or a Town of Taber Bylaw Ticket.
- 2.15 **WILD ANIMAL:** means an animal of wild, untamed, uncultured, feral, or brutal nature or disposition. For purposes of this Bylaw an animal which was once a domesticated animal, can become a wild animal.

SECTION III EXOTIC ANIMALS

- 3.1 The following animals shall be deemed to be exotic animals under this Bylaw, and the possession or ownership of such exotic animals within the corporate limits of the Town of Taber shall be prohibited:

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Mammals

Marsupials or Pouched Mammals

Kangaroos
American Opossums
Marsupial Wolf, Tasmanian devil, Tasmanian tiger, Pouched
Mouse
Australian Bandicoot (not the Indian Bandicoot, which is a
marsupial)
Pouched Rat
Koala, Cuscus (a marsupial monkey), Flying Phalanger (similar
to a flying squirrel)
Wombat

Carnivorous Land Mammals

Wolf, Coyote, Fox, Wild Dog
Bear
Raccoon, Panda, Coatimundi
Weasels, Stoat, Wolverine, Marten, Mink, Badger, Skunk, Otter
Mongoose, Civet, Genet
Hyena
Ocelot, Lion, Tiger, Leopard, Panther, Lynx, Mountain Lion,
Bobcat
Seals, Sea Lions, Walruses
Bats

Odd-toed Hoofed Animals

Horse, Ass, Zebra, Mule, Donkeys
Tapir
Rhinoceros

Even-toed Hoofed Animals

All pigs, Warthogs (excluding Vietnamese Pot-Bellied Pigs)
Peccaries
Hippopotamus
Camel, Dromedaries, Llama, Alpacas
Mouse Deer
Deer, Reindeer, Caribou, moose, Elk, Antelope
Giraffe, Okapi
Pronged-Horned Antelope
Sheep, Goat, Bison, Water Buffalo, Musk Ox, Cow, Heifer, Steer,
Bull

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Anteaters
Sloths
Armadillos

Elephants

Tree Shrews, Lemurs, Lorises, Bush Babies, Tarsiers, Monkeys,
Marmosets, Macaques, Baboons, Mandrills, Apes, Gibbons,
Orangutans, Gorillas, Chimpanzees

Reptiles

Gila Monster, Beaded Lizard

Snakes

All venomous snakes
Snakes over one meter in length
More than three snakes under one meter in length

Crocodiles, Alligators, Caimans, Gavials

Birds

Ostriches
Rheas
Cassowaries, Emus
Kiwis
Poultry
Fowl

Raptors

Hawks, Falcons, Eagles, Buteos, Vultures, Kites, Condors,
Ospreys, Sparrow Hawks
Owls

All Spiders

All venomous insects

Other

All venomous and poisonous animals

SECTION IV

EXCEPTIONS

This Bylaw does not apply to:

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- 4.1 The Town of Taber Pound
- 4.2 The premises of an accredited veterinary hospital under the care of a licensed veterinarian.
- 4.3 Professionally produced film production sets that are being made by film professionals and film production companies, and only temporarily during filming.
- 4.4 The areas of the Town in which educational programs are being conducted with animals, if the animals are owned by an accredited institution and only while the educational programs are actually being conducted, provided that such programs be limited to a maximum of three days at any one location.
- 4.5 The premises of slaughterhouses.
- 4.6 Events being hosted by or held on lands leased to the Agricultural Society.
- 4.7 A parade as approved by the Town of Taber.
- 4.8 Circuses licensed by the Town of Taber.
- 4.9 Agricultural operations in existence on the day of the passing of this Bylaw.

SECTION V OTHER ANIMALS

- 5.1 All other animals, subject to 5.1(b) below, not classified as Exotic animals or wild animals must be kept caged or in pens as required and not permitted to be at large, off of the owners property occupied by the owner of such animal and shall not exceed five (5) other animals in total regardless of the species.

- a) These other animals are as follows, but not limited to:

- Rabbits
- Iguanas
- Gerbils
- Guinea Pigs
- Hamsters
- Domesticated Mice
- Domesticated Birds (Parrots, Budgies)
- Ferrets

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- b) No person may keep within the limits of the Town of Taber, any wild animals, bees or pigeons.
- 5.2 Failure to comply with any subsection of this Section of the bylaw may result in prosecution, or in lieu thereof payment of a voluntary fine as set out in Schedule "A" which is attached and forms part of this Bylaw.
- 5.3 **IMPOUNDMENT AND RELEASE OF OTHER/EXOTIC ANIMALS:** the owner of an impounded animal may reclaim the said animal from the pound within seventy-two (72) hours from the time of impoundment, excluding Sundays and Holidays, by paying the impound fee, care and sustenance fees, as set out in Schedule "A" and any veterinary fees and by paying any voluntary penalties/fines that may have been imposed in accordance with Schedule "A" which forms part of this Bylaw.

Should Other/Exotic animals not be claimed by the owners, within ten (10) business days or an appropriate place to impound the animals not be available then these said animals will be destroyed by means of Euthanasia.

SECTION VI PENALTIES/COUNCIL INTENT

- 6.1 **PENALTIES:** Where an Animal Control Officer, Bylaw Officer, Peace Officer or other person authorized to carry out the provisions of the Bylaw believes that a person has contravened any provision of this Bylaw, they may serve upon such person a notice of form commonly called a Bylaw Tickets, having printed wording approved by the Chief Administrative Officer, or a Provincial Part 2 Summons.
- 6.2 A Bylaw Ticket or a Provincial Part 2 Summons shall be deemed to have been sufficiently served:
 - a) if served personally on the accused; or
 - b) if served by double registered mail; or
 - c) if left at the accused's usual place of abode with an inmate thereof who appears to be at least eighteen (18) years of age; or
 - d) where the accused is an association, partnership, corporation or registered kennel, if served by registered mail or if left with a person who appears to be at least eighteen (18) years of age and who is an employee or officer of the association, partnership, corporation or registered kennel.

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- 6.3 Upon production of any such Bylaw Ticket within twenty-one (21) days from the date of service of such notice, together with the payment of the sum specified in Schedule "A", to a person authorized by the Chief Administrative Officer of the Town of Taber to receive such payment, an official receipt for such payment shall be issued, and subject to the provisions of this Section, such payment shall be accepted in lieu of prosecution.
- 6.4 If the person upon whom any such Bylaw Ticket is served fails to pay the said sum within the time allotted, the provisions of this Section shall no longer apply.
- 6.5 **SUMMARY CONVICTION:** a person who contravenes a provision of the Bylaw by doing something which he/she is prohibited from doing, or by failing to do something which he/she is required to do, or by doing something in a manner different from that in which he/she is required or permitted to do in this Bylaw, then he/she is guilty of an offense and liable to, upon summary conviction, a fine of not more than two thousand (\$2000.00) dollars, per infraction and upon failure to pay said fine and costs, to imprisonment for a period not exceeding thirty (30) days, per infraction.
- 6.6 In addition to the penalties in this Section, a Provincial Court Judge may, if he/she considers the offense sufficiently serious, direct or order the person that owns, keeps, maintains or harbors the animal to prevent such animal from doing mischief or causing a disturbance or nuisance complained of or issue an order for the animal to be destroyed.
- 6.7 **COUNCIL INTENT:** it is the intention of the Council of the Town of Taber, that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of Council that if any provision of this Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION VII REPEALED BYLAW

That Bylaw No. A-333 the Regulation of Livestock and Fowl is hereby repealed in its entirety.

SECTION VIII EFFECTIVE DATE

This Bylaw shall come into force and effect upon the final passing thereof.

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READ a first time this _____ day of _____, 2007.

READ a second time this _____ day of _____, 2007.

READ a third time and finally passed this _____ day of
_____, 2007.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

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SCHEDULE "A"

VOLUNTARY PENALTIES

	FIRST	SECOND	THIRD
EXOTIC ANIMALS & OTHER ANIMALS	\$50.00	\$100.00	\$200.00

SUBSEQUENT OFFENCES

\$1,000.00

IMPOUND FEES

- **\$9.00 FOR EACH DAY CONFINED – IN THE EVENT OR THE ACTUAL COST WHEN FACILITIES OTHER THAN THOSE OWNED BY THE TOWN ARE USED.**