

Topic: Animal Control Bylaw 02 -2012

Introduction:

On March 13, 2012 Administration presented to Governance and Priorities Committee a draft of Animal Control Bylaw 02-2012 along with the Public Engagement Plan. The focus of the Public Engagement Plan was to raise awareness amongst residents about the bylaw and its contents.

June 26, 2012 Administration presented Council with Animal Control Bylaw 02-2012. Council did not pass this bylaw. There were a number of concerns raised:

1. Council requested Administration to restrict dogs to a maximum of 2 on acreages less than 2 acres
2. Council requested a definition of Excessive Barking.
3. Mandatory liability insurance to carried by all dog owners
4. Exempt Farmers from \$12 life time dog license

Facts (Background Information):

On June 26, 2012 Council did not pass the proposed Animal Control Bylaw 02-2012. There were a number of concerns raised:

1. Council requested Administration to restrict dogs to a maximum of 2 on acreages less than 2 acres
 - a. In 2009 Council approved a maximum of four dogs,
 - i. Prior to 2009, Dog Bylaw 18-99 allowed a person to have two dogs and they could apply for a Development Permit for an additional two
 - ii. The Development Permit would be approved for the two additional dogs
 - iii. As such, between Dog Bylaw 18-99 and the Land Use Bylaw a resident was allowed to have a total of four dogs,
 - iv. This was the rationale to allow four dogs in Animal Control Bylaw 28-2009

- b. Administration has not experienced additional difficulties between two or four dogs since 2009
 - c. Administration recommends Council leave the maximum number of dogs at four
- 2. Council requested a more objective description of Excessive Barking and/or perhaps set a specific time frame, i.e. 15 minutes. The current description is as follows; Section 6(1) Animal Control Bylaw 02-2012 states No person shall permit a dog to: (a) Howl or bark excessively, or in a manner to unreasonably interfere with the use and/or enjoyment of one's property. Dogs bark for a variety of reasons such as:
 - a. Boredom,
 - b. Frightened,
 - c. What they perceive as protecting their family,
 - d. Warning their owner of predators, i.e. coyotes, cougars, the person rifling through the car two doors down the road,
 - e. Poor training by the owner(s).

Administration's current process to deal with excessive barking complaints is as follows:

- If the source of the barking is known, an officer will speak to the owner, to provide awareness of the concern and provide some education/tips to control the barking
- If the issue continues, the complainant is required to make a detailed record of the barking in what is referred to as a barking package, for about 14 days
- This will ultimately be what the complainant will tell the Provincial Commissioner in court
- If the source of the barking is unknown, neighborhood enquiries will be conducted in an attempt to locate the dog and owner
- A person's tolerance for barking is very subjective; if they do not like their neighbor and/or dogs, this person may be very intolerant
- If a person likes their neighbor and/or like dogs, they may not even hear the barking
- It is very difficult to obtain a conviction in Provincial Court for Excessive Barking,
- It is believed the courts do not view excessive barking as a public safety issue

Administration has contacted the following municipalities to compare how excessive barking complaints are handled in their respective jurisdictions:

- i. Red Deer County – issues a violation ticket based on the merit of the complainant's statement. \$100 fine
- ii. Yellowhead County – similar process to Parkland County - \$100 fine
- iii. Alberta Animal Services – private contractor – numerous municipalities
 - 1. First offense issue a warning
 - 2. If issue continues, document via barking package (similar to Parkland County)
 - 3. The fines vary from \$50 - \$200 depending which municipality

- iv. Cypress County – Similar system to Parkland County
 - 1. They provide free citronella anti-barking collars to dog owners
- v. M.D. Foothills – Similar process as Parkland County - \$150 fine
- vi. Strathcona County – Similar process as Parkland County - \$250 fine
- vii. Athabasca County – Similar process as Parkland County - \$350 fine
- viii. Mountain View County – Similar process as Parkland County - \$100 fine

Administration believes Parkland County's current process is adequate

3. Mandatory liability insurance to be carried by all dog owners

- a. A survey of insurance companies indicates the Home Owners or Renters Liability policy currently provides the appropriate insurance coverage in the event of a dog bite.
- b. Administration believes, should the County require a dog owner to provide proof of mandatory liability insurance dog owners will not license their dog(s)
- c. The purpose of the County's dog licensing system is to quickly reunite lost dogs with their owners, thereby reducing administrative costs
- d. As the County's dog license is a onetime fee, only new dog owners would be required to provide this proof of insurance
- e. Further, if a dog owner were to obtain mandatory liability insurance, once the proof has been provided to the County, the owner could cancel the insurance policy, obtaining a refund of the insurance premium
- f. Administration feels people will likely just not license their dog as a possible way to avoid mandatory insurance
- g. Administration feels mandatory insurance does not prevent dog bites, responsible pet ownership does
- h. An increase in unlicensed dogs will impact administrative costs in particular at the Animal Shelter,
 - i. The delay in identifying an unlicensed dog and reuniting it with the owner, means longer impound times at the County shelter

4. Exempt Farmers from \$12 life time dog license

- a. Most municipalities require annual licensing of dogs
- b. Parkland County does not; our fee is \$12 for the life of the dog.
- c. Administration does not believe a onetime \$12 fee is a financial hardship

Facts (Background Information):

This bylaw provides regulation and control of household pets, animals and birds.

Analysis:

Administration has reviewed and analyzed the concerns raised by Council on June 26, 2012, as identified in the Background Section of this report, and believes Animal Control Bylaw 02-2012 will effectively regulate and control household pets, animals and birds in Parkland County.

Alternatives:

1. Direct Administration to conduct a major review of the Animal Control Bylaw, and conduct major public engagement

Conclusion/Summary:

Administration believes Animal Control Bylaw 02-2012 meets the County's needs and supports Council passing this bylaw.

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Date written: October 4, 2012 (updated April 12, 2013)