

Topic: Animal Control Bylaw No 2015-09

Introduction:

Animal Control Bylaw No 2015-09 is being submitted to Council for second, third and final reading. The adoption of this Bylaw will conclude the amendment process conducted over a three (3) year term that involved extensive public consultation and a resident-driven focus on responsible pet ownership.

Facts (Background):

Animal Control Bylaw No 28-2009 has been under review since late 2011. Although a proposed bylaw was first presented to the Governance and Priorities Committee on March 3, 2012, numerous drafts have since been generated in response to both Council and resident feedback.

Administration is confident that Animal Control Bylaw No 2015-09 adequately addresses the key issues brought forward and includes concerns about:

- Excessive Barking
- Dogs at Large
- Responsible Pet Ownership (which includes requirements for care, shelter, etc.)
- Cats Licensing
- Small Acreage Food Source Farming

Animal Control Bylaw No 2015-09 had its first reading before Council on March 24, 2015.

Analysis:

Key issues shared with Administration through the consultative process will be addressed as follows:

Excessive Barking:

The Courts have consistently expressed their belief that the majority of excessive barking complaints were the direct result of a dispute between neighbours. In response, the

definition addressing excessive barking has been broadened to address the needs of multiple residents in a common area instead of the individual residents as follows:

“Bark Excessively” means a Dog that barks, howls or makes any other loud noise for a continuous period so as to unreasonably disturb the peace and tranquility of the neighborhood

Operationally, a Barking Package, or record of barking activity will need to be documented by the complainant. This documentation will serve as evidence should a violation ticket be issued and the matter proceed to the Provincial Court. As such, the investigating officer must be confident that the evidence supports the charge and that a violation of the bylaw has occurred. Although Barking Packages were required under Animal Control Bylaw No 28-2009, Administration will determine whether the timeframe required for recording the barking can be reduced to 7 days from the current 14 day recording period. In addition, investigating officers will also conduct neighbourhood enquiries to determine whether the barking is a concern for the overall neighbourhood, or whether a complaint is the likely result of a neighbor dispute. This will also demonstrate due diligence to the Courts in the event that a charge is disputed.

Where applicable, dog owners will be educated on effective methods to control barking.

Dogs at Large:

There are no changes proposed to managing Dogs at Large in Animal Control Bylaw No 2015-09, as the current approach adequately addresses the matter.

Operationally, Bylaw Enforcement Officers will continue to make proactive patrols in residential subdivisions where concerns have been identified. During these patrols, officers will provide residents with information packages about responsible pet ownership and specific details about the Bylaw. In addition, pet-related promotional items such as dog leashes will be given to residents in recognition of positive pet ownership.

Responsible Pet Ownership:

The public consultation process revealed that the majority of residents believe that issues with animals in the County were the result of irresponsible owners. To combat this issue, the overwhelming suggestion to Administration was to educate and/or mandate responsible pet ownership. Although nothing further could be rationally added to Animal Control Bylaw No 2015-09, Enforcement Services continues to investigate ways to address responsible pet ownership and will continue to support positive initiatives to draw attention to the matter. Information packages continue to be distributed during proactive patrols, and Administration believes the role of educating pet owners will be a continuous and evolving process.

Cat Licensing:

Administration is not proposing any changes concerning cats in Animal Control Bylaw No 2015-09. Parkland County's current Cat Bylaw is restricted to Parkland Village. Although the majority of the public felt that the County should have a Cat Bylaw, expanding the current Animal Shelter facilities to accommodate the volume of cats or to institute a cat licensing program would not be possible without significant capital investment.

Small Acreage Food Source Farming:

The public consultation process identified that residents supported the concept of food source farming on small acreages where it pertained to chickens only. Chickens are currently prohibited on residential parcels less than 0.81 ha, (2 acres). Although no amendments are included in Animal Control Bylaw No 2015-09, Administration will be presenting a recommendation at a later date to initiate a one (1) year pilot program to research if chickens should be permitted on smaller residential parcels.

Additional Issues Addressed in Animal Control Bylaw No 2015-09:

- **Section 10(4)(c) - adding "swine" as an animal unit**
- **Section 11(1) – prohibiting a pet owner to allow an animal to be in distress**
- **Section 11(2) – which includes a requirement for pet owners to provide adequate food, water, and care for ill or injured animals, and reasonable protection from heat or cold through shelter or ventilation**
- **Section 11(3) – which requires that pet owners not allow an animal to run at large** (not limited to dogs)

Administration believes Enforcement Services can successfully address the key issues identified through the public consultative process as noted.

Alternatives:

1. Direct Administration to conduct more research.

Conclusion/Summary:

Administration supports Council giving Animal Control Bylaw No 2015-09 second, third and final readings.

AUTHOR: Geoff Heritage

Department: Community & Protective Services

Date written: 2015/04/09