



REGULAR MEETING OF COUNCIL
Held on Monday August 22, 2022
In Person & Virtually,
Commencing at 6:00 p.m.

IN ATTENDANCE:

Mayor: D. Anderberg

With Regrets: B. Wright

Councillors: M. Barber, D. Green, W. Oliver, and S. Nodge

Staff: L. Wilgosh, Chief Administrative Officer; K. Green, Executive Assistant; W. Catonio, Director of Finance and Human Resources; A. Roth, Director of Operations; A. Grose, Recreation Manager; M. Everts, Events, Marketing & Economic Development, T. Walker, Energy Lead and L. Rideout, Director of Community Services

1. CALL TO ORDER

Mayor Anderberg called the meeting to order at 6:00 pm.

2. SCHEDULED PUBLIC HEARING

3. AGENDA APPROVAL

BARBER:

The Council for the Town of Pincher Creek agrees to add 11.6 Rodeo Parade Update to the August 22, 2022 agenda.

CARRIED 22-284

GREEN:

The Council for the Town of Pincher Creek approves the August 22, 2022 agenda as amended.

CARRIED 22-285

4. DELEGATIONS

4.1 South Canadian Rockies Tourism Association

4.2 Concerned Citizens on Short Term Rentals – Chantal Laliberte

5. ADOPTION OF MINUTES

5.1 Minutes of the Regular Meeting of Council held on July 25, 2022

OLIVER:

That Council for the Town of Pincher Creek approves the minutes of the Regular Meeting of Council held on July 25, 2022.

CARRIED 22-286

5.2 Minutes of the Committee of the Whole held on August 3, 2022

BARBER:

That Council for the Town of Pincher Creek approves the minutes of the Committee of the Whole held on August 3, 2022.

CARRIED 22-287

6. BUSINESS ARISING FROM THE MINUTES

6.1 RCMP Q1 Report

BARBER:

That Council for the Town of Pincher Creek receive the RCMP Q1 Report as information.

CARRIED 22-288

7. BYLAWS

7.1 Animal Control Bylaw 1598

NODGE:

That Council for the Town of Pincher Creek agree to give third and final reading to Animal Control Bylaw 1598-22 and that a copy of which be attached hereto forming part of the minutes.

CARRIED 22-289

7.2 Proposed Amendments To The Fee Structure By-Law 1584-22

GREEN:

That Council for the Town of Pincher Creek agree to give second reading to Fee Structure Bylaw 1584-22.

CARRIED 22-290

7.3 Clean Energy Improvement Program Bylaw #1634-22

GREEN:

That Council for the Town of Pincher Creek agree to give second reading to the Clean Energy Improvement Program Bylaw #1634-22.

CARRIED 22-291

NODGE:

That Council for the Town of Pincher Creek agree to give third and final reading to Clean Energy Improvement Program Bylaw #1634-22 and that a copy of which be attached hereto forming part of the minutes.

CARRIED 22-292

8. NEW BUSINESS

8.1 Property Tax Arrears Recovery - Public Auction

BARBER:

That Council for the Town of Pincher Creek approve the Terms and Conditions of Sale for the 2022 Public Auction and that a copy be attached hereto and form part of the minutes.

FURTHER

That Council for the Town of Pincher Creek approve the tax arrears recovery Public Auction date as follows:

Date: November 23, 2022

Time: 10:00 a.m.

Place: 962 St. John Ave. Town Hall in Council Chamber Pincher Creek, Alberta
T0K 1W0

CARRIED 22-293

Mayor Anderberg stepped out of meeting for conflict of interest at 6:53pm

8.2 Donations in Memory

OLIVER:

That Council for the Town of Pincher Creek will make a donation to the Angels Within Us Organization in Councillor Elliott's name in the amount of \$1000. As well as a donation in Diane Sorge's name to the Humane Society in the amount of \$1000.

CARRIED 22-294

Mayor Anderberg returned to the meeting at 6:54pm

8.3 Arena Upgrade Grant Application

NODGE:

That Council for the Town of Pincher provide formal approval to move forward with applying for the Green and Inclusive Community Buildings grant for arena upgrades.

CARRIED 22-295

T. Walker left meeting at 7:02 pm

8.4 Housing Action Plan

GREEN:

That Council for the Town of Pincher direct administration to develop a project outline and seek quotes for a contract position for a Housing – Strategic Advisor.

CARRIED 22-296

9. COUNCIL REPORTS

9.1 Upcoming Committee meetings and events

10. ADMINISTRATION

10.1 Council Information Distribution List

BARBER:

That Council for the Town of Pincher Creek accepts the August 22, 2022 Council Information Distribution List as information.

CARRIED 22-297

10.2 Operations Second Quarter Report 2022

GREEN:

That Council for the Town of Pincher Creek accepts the Operations Second Quarter Report as information.

CARRIED 22-298

10.3 Project Updates

OLIVER:

That Council for the Town of Pincher Creek accepts the Project Update Report as information.

CARRIED 22-299

Mayor Anderberg called a recess at 7:44 pm

Mayor Anderberg called the meeting back to order at 8:03 pm

A. Grose and A. Roth left meeting at 8:48 pm

11. CLOSED MEETING DISCUSSION

GREEN:

That Council for the Town of Pincher Creek agree to move into closed session of Council on Monday, August 22, 2022 at 8:07 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Executive Assistant, Director of Finance and Human Resources, Recreation Manager, Events, Marketing & Economic Development, Director of Operations, and Director of Community Services in attendance.

CARRIED 22-300

BARBER:

That Council for the Town of Pincher Creek agree to move out of a closed session of Council on Monday, August 22, 2022 at 8:58 pm in accordance with section 19 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Executive Assistant, Director of Finance and Human Resources, Recreation Manager, Events, Marketing & Economic Development, Director of Operations, and Director of Community Services in attendance.

CARRIED 22-301

11.1 Alberta Municipal Water/Wastewater Partnership Agreement Approval s.27

GREEN:

That Council for the Town of Pincher Creek authorize the signing of the Alberta Municipal Water/Wastewater Partnership Grant Agreement for the Sodium Hypochlorite Upgrades at the Water Treatment Plant.

CARRIED 22-302

11.2 MCC Arena Concession Agreement s. 16

BARBER:

That Council for the Town of Pincher Creek direct administration to issue a request for proposals for a business or Community Group to operate the MCC Arena Concession for the 2022-2023 arena winter season.

CARRIED 22-303

11.3 GMHL Proposal – Arena Upgrades s. 16

OLIVER:

That Council for the Town of Pincher Creek direct administration to accommodate the GMHL Arena Upgrades to the 2023 budget.

CARRIED 22-304

11.4 Proposed Curling Facility Design Build Request for Proposal Assistance s. 16

NODGE:

That Council for the Town of Pincher Creek allocate up to \$7,000 to be funded from the Capital Investment Fund Reserve to hire a consultant to assist in developing the design-build request for proposals for the proposed new curling facility.

CARRIED 22-305

11.5 Alberta Infrastructure - Surplus Property s. 25 & 21

GREEN:

That Council for the Town of Pincher Creek propose that the Province offer the building for sale to the public.

CARRIED 22-306

11.6 Parade Update s. 16

BARBER:

That Council for the Town of Pincher Creek accept the Rodeo Parade Summary discussion as information.

CARRIED 22-307

12. NOTICE OF MOTION


13. ADJOURNMENT

BARBER:

That this meeting of Council on August 22, 2022 be hereby adjourned at 9:02 pm.

CARRIED 22-308

*Regular Council Meeting
Aug 22, 2022*




MAYOR, D. Anderberg



CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 12th DAY OF SEPTEMBER 2022 S E A L
NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY SEP 12, 2022 AT
6:00 P.M.**

Initials 



BY-LAW #1634-22
of the
TOWN OF PINCHER CREEK

**A BYLAW OF THE MUNICIPALITY OF THE TOWN OF
PINCHER CREEK, IN THE PROVINCE OF ALBERTA, TO
ESTABLISH A CLEAN ENERGY IMPROVEMENT PROGRAM.**

WHEREAS, the purpose of a municipality is to foster the well-being of the environment and provide services, facilities, and more that, in the opinion of council are necessary or desirable for all, or as part of the municipality;

WHEREAS, the Clean Energy Improvement Program is a financing program that uses municipal financing to facilitate the implementation of clean energy improvements to residential and non-residential, and non-designated industrial properties through the use of a local assessment mechanism to provide security for repayment of the financing;

WHEREAS, Alberta Municipal Services Corporation (operating as Alberta Municipalities) has been designated by the Minister as the Program Administrator responsible for the Clean Energy Improvement Program to support municipalities in Alberta that finance clean energy improvements;

WHEREAS, the Council of Pincher Creek wishes to enable a Clean Energy Improvement Tax Bylaw to establish a Clean Energy Improvement Program pursuant to section 390.3 of the Municipal government Act, R.S.A 200, c. M-26 ('the Act');

WHEREAS, the Council of the Town of Pincher Creek wishes to enable financing for clean energy improvements for eligible properties in their municipality.

NOW THEREFORE, the Council of the Town of Pincher Creek; duly assembled enacts as follows:

1. SECTION 1: TITLE

1.1 This Bylaw be cited as the "Clean Energy Improvement Tax Bylaw" of the Town of Pincher Creek.

2. SECTION 2: DEFINITIONS

In this bylaw, unless the context otherwise requires, the word, term, or expressions:

- 2.1 ACT - means the Municipal Government Act, R.S.A. 2000, c. M-26 as amended, and any amendment or substitutions thereof;
- 2.2 BYLAW - means this Clean Energy Improvement Tax Bylaw;
- 2.3 CHIEF ADMINISTRATIVE OFFICER (CAO) - means the person appointed to the position of the chief administrative officer for the Town of Pincher Creek, within the meaning of the Municipal Government Act.


Initials: 



- 2.4 CLEAN ENERGY IMPROVEMENT AGREEMENT or AGREEMENT - means the agreement executed between the Municipality and the Owner of an Eligible Property whereby the Owner agrees to pay an amount required to cover the costs of financing each Eligible Clean Energy Improvement approved by the Program Administrator, as drafted in accordance with section 390.4 of the Act;
- 2.5 CLEAN ENERGY IMPROVEMENT TAX - means a tax levied against an Eligible Property pursuant to an Agreement;
- 2.6 ELIGIBLE PROPERTY - means a property located within the Municipality that is designated as residential, non-residential or not-designated industrial property but does not include designated industrial property or government-owned properties;
- 2.7 DESIGNATED MANUFACTURED HOME - means a manufactured home, mobile home, modular home or travel trailer;
- 2.8 MUNICIPALITY - means the Town of Pincher Creek;
- 2.9 OWNER - means, collectively, the registered owners of a property;
- 2.10 PROGRAM - means the Clean Energy Improvement Program as described in the Act and Regulation and defined henceforth.
- 2.11 PROGRAM ADMINISTRATOR - means the Alberta Municipal Services Corporation (operating as Alberta Municipalities) or provincially designated Program Administrator as defined in the Clean Energy Improvements Regulation.
- 2.12 REGULATION - means the Clean Energy Improvements Regulation, A.R. 212/2018 and amendments thereto.

3. SECTION 3: GENERAL RULES

- 3.1. A property Owner of an Eligible Property within the Municipality can apply to the Program Administrator to seek financing for a clean energy improvement to their property.
- 3.2. Participation in the Program is limited to eligible properties, defined as a property located within the Municipality that is designated as residential, non-residential, or not-designated industrial property, but does not include designated industrial property, government owned properties, and designated manufactured homes.
- 3.3. An applicant of a non-profit property that is tax-exempt would be responsible to pay any and all principal and interest of the Clean Energy Improvement Program costs as per the Clean Energy Improvement Agreement.
- 3.4. The Chief Administrative Officer, or designate of the Town of Pincher Creek is hereby authorized to Impose a Clean Energy Improvement Tax, in respect of each clean energy improvement made to a property, where a municipality has entered into a Clean Energy Improvement Agreement with the property Owner(s) of that property.
- 3.5. The Clean Energy Improvement Tax will be voluntarily levied against a property when there is a Clean Energy Improvement Agreement to raise revenue to pay the amount required to recover the costs of those clean energy improvements, including principal and interest, to do so between the Municipality and the property Owner.

Initials: 



- 3.6. The property Owner(s) must meet the criteria listed below to be eligible to participate in the Clean Energy Improvement Program:
- i) They must be current on their taxation payment for the property, for a period of five years, prior to the date of the application to the Program;
 - ii) They must have never been in collections for a property in the Town of Pincher Creek;
 - iii) They may, for first time property Owners that have purchased the property within the last 5 years, be subject to an enhanced financial eligibility review;
 - iv) They must, for property Owners that are new to the Municipality and do not have a financial history with the Municipality, submit a record of property tax verification from another municipality, for any property previously owned in a different Municipality;
 - v) They must provide mortgage information, if the mortgage amount exceeds the assessed value of the home. In such case the Municipality reserves the right to deny the applicant;
 - vi) They must be in good standing with the Municipality. The Municipality reserves the right to deny the applicant if the applicant is not in good standing with any Department of the Municipality. The Municipality reserves the right to define what “good standing” entails, and can include but is not limited to any development compliance issues, or any other accounts receivable outstanding or unresolved issues.;
 - vii) They must not be in bankruptcy (or insolvency), the property must not be in foreclosure, and the property Owner(s) will be required to provide a sworn statement confirming this;
 - viii) They must be current on their mortgage payment, current on any other debts secured by the property and have not been late on any such payments. They may be required to submit a letter from their financial institution confirming this;
 - ix) They must not be in more than three (3) Clean Energy Improvement Agreements
 - x) They must meet any additionally eligibility criteria as identified by the Municipality or the Program Administrator.
- 3.7. For a clean energy improvement to be eligible, it must be an installation that is permanently affixed to the eligible property which:
- i) Will result in increased energy efficiency or use of renewable energy on that property;
 - ii) Involves:
 - a) Interior and Exterior Lighting and Lighting Controls;
 - b) HVAC (I.e., high efficiency furnace);
 - c) Water Heating
 - d) Building envelope improvements (i.e., insulation)
 - e) Renewable energy upgrades (i.e., photovoltaic solar system);
 - f) Or such other clean energy improvements as are approved and agreed to in writing by the Municipality within the Agreement, and those improvements provided on the list of eligible upgrades available through the Program Administrator’s website <https://www.myceip.ca/residential/>;
 - iii) Is not less than three thousand (\$3,000) dollars in capital cost of the project value;
 - iv) Capital costs do not exceed \$50,000 for residential
 - v) Total project costs will not exceed \$500,000 for non-residential or non-designated industrial property.
- 3.8. Whereby the amount of the tax authorized by a bylaw under section 353 (property tax) of the Municipal Government Act most recently, and imposed on the property is greater than or equal to the annual payment calculated in accordance with the following Formula:



$$\frac{A + B + C}{D}$$

Where

- A is the capital cost of undertaking the clean energy improvement;
- B is the total cost of professional services needed for the clean energy improvement;
- C is the total cost of all incidental costs;
- D is the lesser of the probable lifetime, calculated in years, of the improvement or the maximum financing term established by the Municipality.

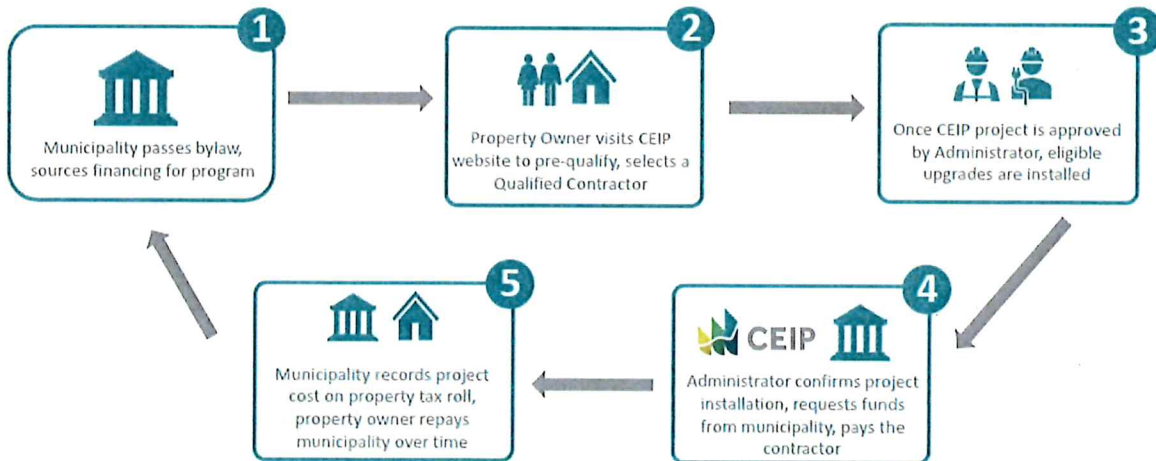
- 3.9. The Clean Energy Improvement Agreement will be as set out under section 390.4 of the Municipal Government Act, and as amended.
- 3.10. The period over which the cost of each eligible clean energy improvement will be spread will be to a maximum, over the probable lifetime of the improvement, and where the annual repayment amount does not exceed the annual taxation amount for the property in question. For multiple upgrades each improvement will be calculated individually, and the repayment term set at the discretion of the Municipality.
- 3.11. A property Owner may submit one application per year.
- 3.12. The property Owner(s) can apply for the program by submitting an application to the Program Administrator for the Clean Energy Improvement Program, including any required supporting documentation, and following all program requirements as outlined by the Program Administrator and the Municipality;
- 3.13. By paying the required application fee, pursuant to section 8 of the Regulation.
- 3.14. That for the purpose of the Clean Energy Improvement Program, the sum of project amounts as they are approved will be borrowed by the Municipality.
- 3.15. The annual maximum amount to be borrowed by the Municipality towards the Clean Energy Improvement Program is \$300,000 for residential and \$500,000 for non-residential, and not-designated industrial properties.
- 3.16. The annual borrowed amount by the Municipality will have a maximum rate of interest of ten percent (10%), and a maximum term of twenty-five (25) years.
- 3.17. The borrowed amount by the property Owner will have a maximum rate of interest calculated at the time of the agreement, and repayment term based on the lifespan of the improvement(s) but will not exceed those amounts as set out in 3.16.
- 3.18. The principal and interest owing under the borrowing will be paid using the proceeds from Clean Energy Improvement Tax and payments made by the approved project recipients through to the



Municipality on the annual improvement levy. In the event that insufficient funds are collected from the approved project recipients, the Town of Pincher Creek shall levy and raise taxes in each year sufficient to pay the indebtedness.

- 3.19. A Clean Energy Improvement Tax will be imposed on the property that is subject to a Clean Energy Improvement Agreement at any time following the signing of the Clean Energy Improvement Agreement.
- 3.20. In the event that a property owner wishes to repay the Clean Energy Improvement Program financing early, the amount owing will be calculated at the time of the request, based on the principal and interest remaining and the terms of the financing being used for the project(s).
- 3.21. Any project(s) that has been approved under the Clean Energy Improvement Program must be completed within the time limit as set out under the Agreement.
- 3.22. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of this bylaw and shall not invalidate the whole bylaw.
- 3.23. This bylaw comes into force upon third reading and is signed by the Mayor and Chief Administrative Officer or Designate.

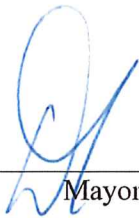
How does CEIP work?



Bylaw No. 1634-22, Clean Energy Improvement Program



Read a first time by Council on July 25, 2022.

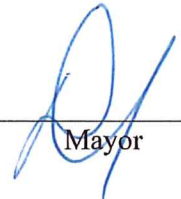


Mayor



Chief Administrative Officer

Read a second time by Council on Aug 22, 2022.



Mayor



Chief Administrative Officer


Read a third time by Council on Aug 22, 2022.



Mayor



Chief Administrative Officer

Initials: 



**BY-LAW #1598-22
of the
TOWN OF PINCHER CREEK**

**A BYLAW OF THE MUNICIPALITY OF THE TOWN OF
PINCHER CREEK, IN THE PROVINCE OF ALBERTA,
TO REGULATE AND CONTROL ANIMALS WITHIN THE
TOWN OF PINCHER CREEK**

WHEREAS, Section 7(h) of the Municipal Government Act, R.S.A. 2000, Chapter M.26 and amendments thereto, allows a municipality to pass bylaws regulating and controlling wild and domestic animals and activities in relation to them.

WHEREAS, Section 7(i) of the Municipal Government Act, R.S.A. 2000, Chapter M.26, and amendments thereto, allows a municipality to impose fines and penalties for infraction of bylaws.

NOW THEREFORE, the Municipal Council of the Town of Pincher Creek hereby enacts as follows:

1. SECTION 1: TITLE

1.1 This bylaw shall be known as the Animal Control Bylaw.

2. SECTION 2: DEFINITIONS

In this bylaw, unless the context otherwise requires, the word, term, or expressions:

- 2.1 ANIMAL CONTROL OFFICER shall mean any person duly authorized and designated by the Council to carry out the provisions of this bylaw.
- 2.2 ANIMAL includes any dog and/or cat.
- 2.3 ABANDON means to leave an animal without means of protection, support, or help.
- 2.4 CAT includes any cat over the age of two (2) months and includes a cat that has been spayed or neutered.
- 2.5 COOP means a fully enclosed weather proof structure and attached outdoor enclosure used for the keeping of Urban Hens that must comply with the Town of Pincher Creek land use bylaw accessory building regulations.
- 2.6 DAMAGE TO PROPERTY means damage to property other than the owner's property, and includes defecating and urinating on such property.



- 2.7 DANGEROUS DOG shall mean any dog, which in the opinion of a Peace Officer, or Animal Control Officer:
- (1) Without provocation, shows a propensity, or disposition, and has potential to attack and injure humans or other animals; or
 - (2) Without provocation attack, bite or injure any human or animal.
- 2.8 DESTROY OR DISPOSE shall mean to kill an animal, only upon consultation with the Chief Administrative Officer or Manager of Legislative Services.
- 2.9 DOG includes any dog over the age of six (6) months and includes a dog that has been spayed or neutered.
- 2.10 DWELLING as defined in the Land Use Bylaw of the Town of Pincher Creek, and amendments thereto.
- 2.11 GUARD DOG shall mean any dog that is trained to guard.
- 2.12 HEN is a female chicken over the age of 16 weeks.
- 2.13 INDOOR PETS shall mean mice, hamsters, gerbils, guinea pigs, cage birds, ferrets, pygmy hedgehogs, non-poisonous reptiles and amphibians not exceeding one meter in length or other animals as approved by resolution of Council.
- 2.14 MUNICIPALITY shall mean the Town of Pincher Creek.
- 2.15 MUNICIPAL COUNCIL or COUNCIL shall mean the Municipal Council for the Town of Pincher Creek, Alberta.
- 2.16 OFF LEASH DOG AREA shall mean a place that the Municipality shall provide or designate as such where dogs are permitted off leash.
- 2.17 PESTS shall mean anything that causes trouble, annoyance, nuisances, discomfort, or destruction, including but not limited to, skunks, rabbits and raccoons.
- 2.18 POULTRY shall mean, turkeys, ducks, peacocks, ostriches, geese, pheasants, guinea fowl, pigeons, quail, Rooster chickens, hens under 16 weeks old or any other bird not a chicken Hen.
- 2.19 POUND shall mean a place that the Municipality shall provide or designate as such.
- 2.20 ROOSTER shall mean male chicken.

Handwritten initials in blue ink, appearing to be "P" and "C", written over a horizontal line.



- 2.21 RUNNING AT LARGE shall mean any dog or cat not accompanied by and under the control of a responsible person within the Municipal Limits, as per Section 3.19.
- 2.22 SERVICE DOG shall mean certified guide dogs, special needs dogs and hearing dogs.
- 2.23 TRANQUILIZER GUN shall mean a pistol or rifle capable of propelling a dart containing a drug approved by a qualified Veterinary Surgeon, for the purpose of immobilizing a dog in order to facilitate capture.
- 2.24 TRAP shall mean a device or enclosure designed to catch and retain animals, typically by allowing entry but not exit or by catching hold of a part of the body.
- 2.25 TRAPPING shall mean the act of trapping an animal domestic or wild.

SECTION 3: GENERAL RULES

- 3.1 Any person who is in breach of the general rules is guilty of an offence.
- 3.2 No person shall keep anywhere within the limits of the Town of Pincher Creek, any species of wild or domestic animal, or poultry, other than dogs, cats, indoor pets and animals kept on land on which Council has issued a grazing permit, and animals and poultry under veterinarian care, and animals and poultry consigned to an abattoir for killing, and animals and poultry exhibited or used during sanctioned events at Agricultural Society Grounds and Horseshoe Pavilion, or other temporary uses as approved by resolution of Council, or if allowed under the provisions of the Town of Pincher Creek Land Use Bylaw.
- 3.3 Every person who owns, keeps or harbours any dog shall register the dog and obtain a dog license from the Town. Such license must be renewed on the first day of January in each year and shall be for a period of January 1 to December 31 in each year. The fee for a dog license shall be in accordance with Schedule "A".
- 3.4 The license tag issued upon payment of the above mentioned fee shall be attached to the collar worn by such animals at all times.
- 3.5 No person who is the owner, possessor or harbourer of any animal shall permit or otherwise allow such animal to run at large within the corporate limits of the Town of Pincher Creek.
- 3.6 Every person who owns, keeps or harbours a female dog shall house and confine such female dog during the whole period that such female dog is in heat.

Initials:  _____



- 3.7 The owner, possessor or harbourer of any animal impounded pursuant to the provisions of this bylaw by the Animal Control Officer may redeem same within 72 hours from the time of impoundment by paying to the Town of Pincher Creek the appropriate penalty and/or impoundment fee for such animal impounded. The impoundment fee shall be in accordance with Schedule "A" of this bylaw.
- 3.8 Any person who removes or attempts to remove any animal from the possession of the poundkeeper or any person authorized to enforce the provisions of this bylaw shall be guilty of an infraction of this bylaw.
- 3.9 Any person who hinders, delays or obstructs an Animal Control Officer or any other person authorized to enforce the provisions of this bylaw, while engaged in his lawful duties is guilty of an infraction of this bylaw.
- 3.10 No person shall register a dog as spayed or neutered unless the said dog is spayed or neutered.
- 3.11 All guard dogs and dangerous dogs shall be housed as follows:
- i) chain link covered run and covered top on a strong frame, i.e. 2x4 or pipe.
 - ii) a flooring substance that cannot be dug.
 - iii) a child proof latch on gate.
 - iv) the covered run and shelter is subject to the Animal Control Officer's approval.
 - v) All guard dogs and dangerous dogs must be registered as a dangerous dog or guard dog with the town every year.
 - vi) Proof of insurance must be shown at the time of registration.
- 3.12 All guard dogs and dangerous dogs shall only be out on a leash and under adult supervision.
- 3.13 If an Animal Control Officer determines that a dog is a dangerous dog, either through personal observation or after an investigation initiated by a complaint, he or she may in writing:
- i) inform the owner that the dog has been determined to be a dangerous dog and
 - ii) require the owner to keep such dog in accordance with the provisions of this bylaw.
- 3.14 An owner of a dangerous dog shall maintain in force a policy of liability insurance in form satisfactory to the Chief Administrative Officer providing third party liability coverage in a minimum amount of \$500,000.00 for injuries caused by the owners dog.
- i) upon cancellation or expiry or termination of the liability policy, the dog license is null and void.



- 3.15 A person who owns, keeps, houses, harbors or allows to stay on his premises a dog or cat which by reason of barking or howling disturbs persons in the vicinity of his home is guilty of an offense under this bylaw.
- 3.16 Any owner whose dog defecates on property other than his own shall remove forthwith any defecation matter deposited.
- 3.17 The occupant of any one dwelling may not own, possess or harbor more than 3 dogs and 3 cats unless those animals in excess of three in quantity are a litter of offspring from cats or registered dogs in possession of said person; and providing that those animals in excess of three in quantity are removed from said persons' dwelling within 90 days following the birth of said litter of offspring.
- 3.18 No person shall allow a dog in the corporate limits of the Town of Pincher Creek unless the dog is tethered by a hand-held leash no longer than 1.5 meters in length, unless in a designated Off Leash Dog Park.
- 3.19 No person shall untie, lose or otherwise free an animal which is not in distress unless such a person has the authorization of the owner.
- 3.20 No person shall trap any animal within in the Town of Pincher Creek unless,
- i) It is a Town Bylaw Officer, Community Peace Officer, Agent or contractor for the Town.
 - ii) Fish and Wildlife Officer in the course of their duties.
 - iii) On property owned, rented, leased, by the person trapping.
 - iv) Animals trapped, are away from dangerous or injurious temperature
 - v) All traps must not kill or injure animals, except for mouse traps.
- 3.21 If a person is trapping on private property, they must contact the Town bylaw Officer/Animal Control Officer/Peace Officer if a domestic animal is trapped. All domestic animals trapped must be turned over to the Town Peace Officer or taken to the SPCA at a reasonable time. The person trapping is responsible for the care of the animal until it can be picked up by the Town's Peace Officer or taken to the SPCA.
- 3.20 No person shall tease, torment, annoy, abuse or injure any animal, and any person who does so is guilty of an offence.
- 3.21 An owner whose animal has caused damage to property within the Municipality is guilty of an offence.
- 3.22 Any person who owns, keeps or harbours any animal which attacks any person within the corporate limits of the Town of Pincher Creek is guilty of an infraction of this bylaw.



- 3.23 Any person who owns, keeps or harbours any animal which attacks and injures any person within the corporate limits of the Town of Pincher Creek is guilty of an infraction of this bylaw.
- 3.24 Any person who owns, keeps or harbours any animal which attacks and/or injures any animal within the corporate limits of the Town of Pincher Creek is guilty of an infraction of this bylaw.
- 3.25 Any person(s) who abandons any animal(s) within the corporate limits of the Town of Pincher Creek is guilty of an offense.

SECTION 4: URBAN HENS

- 4.1 A person may have chicken Hens as defined in this bylaw, at their residence, as long as,
 - i) Not a rooster
 - ii) No more than 4 hens at a time per house hold
 - ii) Must be at address the person is living
 - iii) Residence cannot be in a mobile home park.
 - iv) Must have a proper enclosure (coop) Hen house
 - v) For personal use only. Must not sell eggs, manure, meat or other products made from hens.
 - vi) Hens must be in coop or enclosure at all times,
 - vi) Hens are no younger than 16 weeks of age.
 - vii) Must register Hens with the Town via an Urban Hen Registration Form

SECTION 5: DUTIES OF ANIMAL CONTROL OFFICER

- 5.1 The Animal Control Officer, Peace Officer or designee shall enforce this bylaw and shall issue offence tickets for infractions of this bylaw.
- 5.2 It shall be the duty of the Animal Control Officer and any other persons authorized to enforce this bylaw to capture all animals running at large within the corporate limits of the Town of Pincher Creek and impound such animals in the Town of Pincher Creek Pound. Such animals shall be confined at the pound subject to the owner's or possessor's right to claim within 72 hours from the time of capture. No animal shall be released from the pound until the pound keeper is satisfied that all penalties and fees have been paid and notification has been received from the Manager of Legislative Services that a current license has been obtained with respect to dogs.
- 5.3 The Animal Control Officer or any person or person authorized or appointed by Council, are hereby authorized to use a tranquilizer gun, or any other piece of



equipment commonly used in order to effect the capture of any dog when all normal attempts to capture such dog have failed.

- 5.4 The Animal Control Officer shall impound any animal suspected of being rabid and upon confirmation by a veterinarian shall destroy or have said animal destroyed.
- 5.5 The Animal Control Officer may destroy or dispose of any animal impounded under the provisions of this bylaw if said animal is not claimed within 72 hours from capture.
- 5.5 The Animal Control Officer may capture pests within the corporate limits of the Town of Pincher Creek and impound, destroy, or otherwise dispose of such pests according to his judgment.
- 5.6 The Animal Control Officer once permission has been granted by the Chief Administrative Officer or Manager of Legislative Services may destroy any animal which is at large and is posing an immediate threat to the people of Pincher Creek.
- 5.7 The Animal Control Officer is authorized to enter lands within the Town of Pincher Creek and seize animals to prevent the continuance of an offence.

SECTION 6: OFFENCE TICKET

- 6.1 An Offence Ticket shall be deemed sufficiently served:
 - i) if served personally to the owner of the animal, or
 - ii) if mailed by single registered mail to the address of the owner of the animal, as recorded at the time of registration of the said dog with the Town of Pincher Creek.
 - iii) if left at the residence of the person who has allegedly contravened this bylaw, with an occupant of the residence who appears to be at least 18 years of age.

SECTION 7: PENALTIES

- 7.1 Any person who contravenes any provision of this bylaw is guilty of an offence and is liable to a penalty as stated in Schedule "B" of this bylaw.
- 7.2 It is the intention of Town Council that each separate provision of this bylaw shall be deemed independent of all other provisions herein and it is further the intention of Town Council that if any provisions of this bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

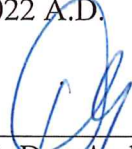


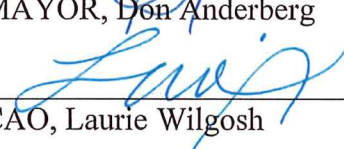
SECTION 8: GENERAL

8.1 Bylaw No. 1598-18 of the Town of Pincher Creek and amendments thereto are hereby repealed.

8.2 This bylaw comes into effect upon the final reading thereof.


READ A FIRST TIME THIS 27th DAY OF JUNE, 2022 A.D.

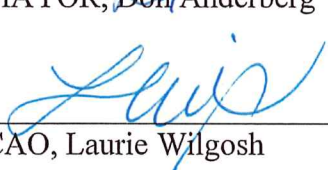


MAYOR, Don Anderberg


CAO, Laurie Wilgosh


READ A SECOND TIME THIS 25th DAY OF JULY, 2022 A.D.

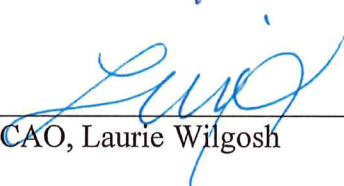


MAYOR, Don Anderberg


CAO, Laurie Wilgosh

READ A THIRD TIME THIS 22nd DAY OF AUGUST, 2022 A.D.



MAYOR, Don Anderberg


CAO, Laurie Wilgosh



SCHEDULE "A" FEES

Dog License:

	<u>Per Year</u>	<u>Lifetime</u>
Spayed or Neutered Dogs	\$15.00	\$150.00
Others	\$30.00	\$300.00
Replacement Tag	\$10.00	
Information Update	\$10.00	
Service Dogs	No Charge	No Charge
Dangerous Dog	\$500.00	
Guard Dog	\$ 250.00	
Impoundment	\$10.00 per day or any part thereof	



SCHEDULE "B" PENALTIES

Section	Offence (Description)	Violation Ticket Penalties
3(3.22)	Animal attacks person	\$1000.00 Per Offence
3(3.23)	Animal attacks & injures person	\$2000.00 Per Offence
3(3.24)	Animal attacks and/or injures animal	\$1500.00 Per Offence
3(3.25)	Abandonment of an animal	\$500 Per Offence
	Owner of Dangerous Dog Contravenes Bylaw	\$250 First Offence \$500 Second Offence \$1000 Third or Subsequent Offences
	All other offences	\$150.00 First Offence \$200.00 Second Offence \$400.00 Third or Subsequent Offences

Initials: 