

CONSOLIDATION OF A BY-LAW OF THE CITY OF LETHBRIDGE
TO REGULATE THE KEEPING OF WILD OR DOMESTIC ANIMALS
WITHIN THE CITY OF LETHBRIDGE

B/L 3383 WHEREAS complaints have been received respecting the keeping of
2/21/77 rabbits and poultry in the City of Lethbridge;

B/L 3908 AND WHEREAS Section 164 of the Municipal Government Act being
8/29/83 Chapter M-26 of the Revised Statutes of Alberta (1980) provides:

AUTHORITY "164 For the purpose of regulating and controlling animals, a Council may
pass by-laws:

(c) regulating the keeping by any person of wild or domestic
animals or poultry within the limits of the Municipality;

(d) prohibiting the keeping by any person of wild or domestic
animals or poultry in any specified part or parts of the
Municipality when, in the opinion of Council, that keeping is
likely to cause a nuisance;

NOW THEREFORE, THE COUNCIL OF THE CITY OF LETHBRIDGE,
DULY ASSEMBLED, ENACTS AS FOLLOWS:

DEFINITIONS 1. In this By-law:

(a) "Inspector" - means a Public Health Inspector for the Medical
Officer of Health of the City of Lethbridge, a Police Officer,
and a By-law Enforcement Officer appointed by the City of
Lethbridge for the purpose of enforcing this By-law.

(b) "Livestock" - means horses, cattle, sheep, swine, donkeys,
goats, rabbits, and fur-bearing animals raised in captivity.

B/L 3405 (c) "Poultry" - means chickens, turkey, geese, and ducks
7/25/77 but should not include pigeons which are already regulated
under By-law No. 2609, a By-law of the City of Lethbridge
with respect to the keeping of pigeons within the City of
Lethbridge.

DEFINITIONS
CONT'D

- (d) "Wildlife" - means big game, game birds, birds of prey, fur-bearing animals, fur-bearing carnivores and any other species of vertebrates designated wildlife by The Wildlife Act and the Regulations passed pursuant thereto.

PROHIBITION

2. No person shall have or keep a wildlife animal or bird alive within the City of Lethbridge.

B/L 3908
8/29/83

3. No persons shall keep livestock, poultry or bees, other than a single pet rabbit per household, within the City of Lethbridge, unless the location in which such livestock, poultry or bees are kept falls within one of the following classifications:

(a) Those areas of the City of Lethbridge which would be classified as farms in compliance with the requirements of the M-3 (Urban Reserve District) of City of Lethbridge By-law 3574, being the Land Use By-law;

(b) Those locations in the City of Lethbridge for which development approval has been granted pursuant to the requirements of the Land Use By-law, and those locations in which an existing use which does not conform to the Land Use By-law continues legally, where the permitted or legal non-conforming use involves a farm, a packing plant, a livestock auction market, a livestock brokerage facility, a feedlot or a similar operation;

(c) Pet Shops;

(d) the Exhibition Grounds;

(e) Veterinary clinics or veterinary hospitals;

(f) the Sportsplex;

(g) City Pound.

DANGEROUS TO
HEALTH

4. No person while raising livestock or poultry shall create, establish or maintain:

(a) Any stable, byre or other building in which birds or animals are kept in such a manner or in such numbers as to be injurious or dangerous to health, or which may hinder in any manner the prevention or suppression of disease.

DANGEROUS TO
HEALTH
CONT'D

- (b) Any accumulation or deposit of refuse, wherever situated, which is injurious or dangerous to health, or which may hinder in any manner the prevention or suppression of disease.
- (c) Any deposit of offensive matter, refuse, offal or manure contained in uncovered vehicles at any station or siding or elsewhere so as to be injurious or dangerous to health, or which may hinder in any manner the prevention or suppression of disease.
- (d) Any accumulation or deposit of refuse, wherever situated, for so long a period as to provide a breeding place or flies or creation of odours.

CONTROL OF
LIVESTOCK OR
POULTRY

- 5. (a) All livestock or poultry, while not under the direct control of a person shall be placed in a fenced or other secure area which will prevent the free roaming of such livestock or poultry.
- (b) Where livestock trespass within the City of Lethbridge on any:
 - (i) public lands owned by the City including highways;
 - (ii) public lands owned by the Crown; or
 - (iii) lands privately owned without the consent of the owner of those lands;

CAPTURE OF
LIVESTOCK BY
PEACE OFFICER

- while the livestock are on such lands, a Peace Officer may capture and confine such livestock.
- (c) When livestock have been captured pursuant to sub-section (b) the Peace Officer shall report the capture and deliver the livestock to the Area Livestock Investigator of the Department of Agriculture of the Province of Alberta.
- (d) "Peace Officer" means a member of the Police Force of the City of Lethbridge or a By-law Enforcement Officer appointed by the City of Lethbridge for the enforcement of this By-law.

INSPECTOR

- 6. (a) Upon receiving a complaint of a violation of this By-law, the Inspector shall inquire into the facts, visit the place complained of, and if necessary, hear the statement of any person in connection therewith and for such purposes may enter upon, inspect, and examine the place.

INSPECTOR
CONT'D

- (b) If, upon inspection, the Inspector is of the opinion there is a violation of this By-law he may serve a written notice on the person by whose act, default or sufferance the infraction arises or continues, requiring him to abate the same within a time to be specified in the notice, and to execute such works and do such things as may be necessary for that purpose.
- (c) Where the person responsible fails to comply with and within the time fixed by the notice, the City may do so at the expense of the person responsible. If the expense and cost so incurred is not paid by the person responsible, the same may be collected in like manner as municipal taxes or by action in any court of competent jurisdiction.

PENALTIES

- 7. Any person violating any of the provisions of this By-law shall be liable on summary conviction before a Provincial Court Judge to a penalty not exceeding \$500.00 exclusive of costs and in case of non-payment of the fine and costs, to imprisonment for a period not exceeding SIXTY (60) DAYS, unless the fine and costs including the cost of committal are sooner paid.