

Animal Control Order Public Hearing – September 25, 2018

10:30 AM

A public hearing was held in the Special Areas Boardroom at Hanna, Alberta on Tuesday, September 25, 2018 at 10:00 AM with the following in attendance:
Doug Noble and Daryl Swenson, Brent Horner (via telephone), Board Members; Jordon Christianson, Chair; Darcy Ferguson, Trent Caskey and Owen Francis, Directors; Brett Richards, SA2 Administrator; Maeghan Chostner, Communications; John Armstrong and Jamie Erickson, Peace Officers; Darlene Herzog, Recording Secretary; Norman Storch and John Suntjens, Ratepayers.

The Chairman called the Public Hearing to order at 10:35 AM and explained the purpose and process of the hearing. Introductions were made.

Mr. Francis presented the draft Special Areas Animal Control Order. Background information related to the development of the proposed Animal Control Order was presented. The purpose of the proposed Animal Control Order as an enforcement tool for local peace officers to manage animal control complaints within Special Areas was discussed. The proposed Animal Control Order was presented in detail. Discussion from the public included items:

- Section 3.a was drafted upon consult with Legal Services; does not apply to country/acreage residents.
- Section 9.a (ii) five (5) days' notice – should be increased due to mail delays.
- Fees – will be set by contracted impound society (to be determined).
- Penalties - will allow Peace Officer to use discretion and municipal authority.
- Dangerous Dogs – Mr. Erickson spoke on the dangerous dogs and court order process. The process for requesting immediate hearings was discussed.

Ms. Chostner reported on the public consultation undertaken for the proposed Animal Control Order, reviewing engagement activities to date and formal public feedback received. Public feedback was received related to:

- Livestock at large general issues,
- Section 9.a(ii) - Five (5) days' notice to be clarified,
- Fees, and
- Animals basic needs.

Mr. Francis reported the proposed Animal Control Order does not include a definition of livestock; provincial legislation is already in place for RCMP and Fish & Wildlife Officers to use for livestock/cattle including the *Line Fence Act* and the *Stray Animals Act*. Peace Officers currently have no legislated authority to deal with these acts.

The Chairman called for any questions, thoughts, or concerns.

Mr. Suntjens commented having the proposed Animal Control Order makes sense.

Mr. Storch stated he was pleased to see the Board take initiative to establish the proposed Animal Control Order but would like to see the livestock at large issue addressed. Current legislation is not effective in his opinion, the closest responsible enforcement should be a Special Areas Peace Officer. He further encouraged the Board to find the right tool if the proposed Animal Control Order is not.

Mr. Suntjens addressed further concern regarding ownership of fence and responsibilities of livestock owners. Mr. Francis replied survey is available and those concerns should be addressed to the local authorities legislated under the *Line Fence Act* and *Stray Animals Act*. Barring unsuccessful mediation with a neighbor, issues could be addressed through the courts.

The public perception of the proposed Animal Control Order and it's use as a tool for animal control issues in hamlets was discussed. If livestock was added to the document, it would change the intent of the proposed document. Peace Officers work jointly with local authorities to manage animal control issues, and existing provincial legislation is in place to manage livestock at large issues. Public comments related to livestock at large being a valid concern was discussed, with potential enforcement strategies presented by Administration. The Board will take the livestock at large issue to Advisory Council for further action.

Mr. Storch shared other concerns/questions:

- Section 3.a) "boundaries of any Hamlet" - should it include the words "and Acreage". Public discussion around difficulties in using existing Land Use Order land classifications occurred. If there are nuisance dogs wondering down the road to neighboring lands, that issue is addressed in Section 5 of the proposed Animal Control Order.
- Section 10. Penalties and Fees - Collection of penalties and fees; what is the allowed time and method for payment? Mr. Erickson replied fees would be subject to pay before animals are released with a court process to collect if need be. Costs would be per contracted Humane Society's guidelines.
- Where is the closest impound? Mr. Erickson replied most human societies have impounds, he is familiar with Drumheller and Strathmore. Currently Peace Officer vehicles are not set up for collection of dogs. Mr. Armstrong stated the proposed Animal Control Order is a tool for Peace Officers to use.
- Upon approval by the Minister of the proposed Animal Control Order, a clear reporting path online to report violations is needed. Administration agreed.

Mr. Christianson asked if there were any other questions from the public. There were no further comments.

The Chairman closed the Public Hearing at 11:52 am.

Mr. Suntjens and Mr. Storch exited the meeting.


Chair, Special Areas Board