

1967 Bill 12

Fifth Session, 15th Legislature, 15 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 12

**An Act to amend The Domestic Animals
(Municipalities) Act**

THE MINISTER OF AGRICULTURE

First Reading

Second Reading

Third Reading

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An Act to amend The Domestic Animals (Municipalities)
Act

(Assented to , 1967)

HER MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Alberta,
enacts as follows:

1. *The Domestic Animals (Municipalities) Act* is hereby
amended.

2. Section 29 is amended

(a) by striking out subsection (1) and by substituting
the following:

29. (1) A person impounding an animal shall at
the time of impounding deliver to the poundkeeper
a written statement

(a) describing the animal impounded, and

(b) setting forth

(i) the name of the owner, if known,

(ii) the place where the animal was found,

(iii) the amount of damages, if any, claimed,
and

(iv) the cost of impounding the animal, if any,
where

(A) the animal was running at large on
land owned or occupied by the im-
pounder, or

(B) the animal was impounded pursuant
to an order of a member of the Royal
Canadian Mounted Police,

and if any such damages or costs are claimed
he shall at the same time deposit with the
poundkeeper the sum of \$10 as security for the
cost of an investigation under subsection (4).

(b) by striking out subsections (3) and (4) and by
substituting the following:

(3) The owner of an impounded animal shall pay
to the poundkeeper

(a) the amount of the damages caused by the
animal, as claimed,

Explanatory Notes

1. This Bill amends chapter 88 of the Revised Statutes.

Clause 2 (a)—This proposed amendment, by the addition of subclause (iv), enables an impounder to collect reasonable costs incurred in impounding (as well as claims for damages for injury suffered, which he may presently claim under subclause (iii)). It also raises the security for investigation costs from \$2 to a more realistic \$10.

(b)—These proposed subsections are a consequence of the proposed subsection (1).

- (b) the cost of impounding the animal, as claimed,
- (c) all charges for the keep of the animal by the poundkeeper, and
- (d) any other expenses incidental to the impounding and redemption of the impounded animal, before any duty devolves upon the poundkeeper to return the animal into his custody.

(4) Notwithstanding subsection (3), the owner of an impounded animal or a person on his behalf may, not later than 15 days after the impounding of the animal, appeal to the council in writing, addressed to the secretary-treasurer of the municipality, against any amounts claimed as damages or costs of impounding, and shall as a condition of the appeal deposit with the council the sum of \$10 as security for the cost of an investigation.

- (c) as to subsection (5) by adding after the words "amount of damages" the words "and impounding costs",
- (d) as to subsection (6) by striking out the words "two dollars" and by substituting the figure "\$10".

3. Section 34 is amended by striking out the words "fees and charges" and by substituting the words "fees, costs, charges and damages".

4. Section 35, subsection (2), clause (b) is amended by striking out the words "two dollars" and by substituting the figure "\$10".

5. Section 46, subsection (1) is amended by adding after the word "damages" the words "and impounding costs".

6. Sections 56 and 58 are repealed.

7. Section 60 is amended by striking out clause (f).

8. Section 61 is amended

- (a) as to clause (b) by adding the word "or" at the end thereof,
- (b) as to clause (c) by striking out the word "or" at the end thereof,
- (c) by striking out clause (d).

9. This Act comes into force on the day upon which it is assented to.

(c)—This proposed amendment follows from the proposed subsection (1) above.

(d)—This follows the previous amendment to section 29.

3. This amendment makes the section consistent with the wording used in the above amendments.

4. This amendment follows those in section 29.

5. This amendment makes the wording consistent with that used in the above amendments.

6. These sections are struck out pursuant to a 1966 amendment to The Brand Act which does away with venting brands. See Statutes of Alberta 1966, c. 9, s. 6.

7. This amendment is consequential of the repeal of sections 56 and 58.

8. This change is a consequence of the repeal of sections 56 and 58.