

***COALHURST***

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**EXHIBITS**

**DOG CONTROL APPEAL COMMITTEE HEARING**

**July 6, 2020 at 3:30 pm**

**Hearing Held via Electronic Means**

**Appellant: Karen Waldner and Rhonda Waldner**

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**Exhibit Items**

- A. Notice – Dog Control Appeal Committee Hearing
- B. Vicious Dog Order and Violation Ticket – issued June 13, 2020
- C. Complainant Statement and supporting photographs and emails
- D. Witness Statement
- E. Dog Owner Statement – Karen Waldner
- F. Dog Owner Statement – Rhonda Waldner
- G. Vet Medical Record for Dog “Ollie”
- H. Proof of Vaccination for Dog “Jaeger”
- I. Character Statement regarding Dog “Jaeger”
- J. Facebook Post – Dated June 12, 2020
- K. Text Conversation Between Karen Waldner and Shawnie Cederholm
- L. Notice of Offence provided to Appellant by Town’s Bylaw Enforcement Officer, Dated May 14, 2020
- M. Town of Coalhurst Policy: Dog Control Fees
- N. Town of Coalhurst, Bylaw No. 379-15, Governing the Regulation and Keeping of Dogs

# NOTICE

## DOG CONTROL APPEAL COMMITTEE HEARING

This is to notify you that in accordance with the Town of Coalhurst's Dog Control Bylaw No. 379-15, section 13(a)(viii), the Town of Coalhurst Dog Control Appeal Committee will hear an appeal of the decision of the Town of Coalhurst Bylaw Enforcement Officer.

**HEARING DATE:** July 6, 2020  
**HEARING TIME:** 3:30 pm  
**HEARING LOCATION:** Due to COVID-19, and in accordance with Section 199 of the Municipal Government Act, the hearing will be held via electronic means.  
**APPELLANT(S):** Karen Waldner and Rhonda Waldner  
**MATTER BEING APPEALED:** Aggressive and vicious dog order – Rottweiler known as "Jaeger", residing at 4406 Sundance Road.

Persons who wish to submit written comments and/or evidence for the hearing may do so by submitting the written comments and/or evidence to the Secretary of the Dog Control Appeal Committee no later than Friday, July 3, 2020. Submissions can be made in person at the Town of Coalhurst Administration Office, or submitted by email to [development@coalhurst.ca](mailto:development@coalhurst.ca) or dropped off in the after hours drop box located next to the front door of the Town of Coalhurst Administration Office.

Any persons who do not wish to submit written comments and/or evidence for inclusion in the appeal hearing package, may attend the hearing via electronic means, in accordance with section 199 of the Municipal Government Act. Public will be able to hear the meeting as it is occurring by dialing **1-647-490-1504** and entering the meeting ID **412 658 4414** when prompted. When you join, you are asked to mute your phone to minimize background noise.

A copy of the appeal hearing package is available at the Town of Coalhurst Administration Office. Any questions regarding the hearing may be directed to the Secretary, Leda Kozak Tittsworth, at 403-381-3033 or by email at [development@coalhurst.ca](mailto:development@coalhurst.ca).



Leda Kozak Tittsworth  
Secretary, Town of Coalhurst Dog Control Appeal Committee

June 26, 2020

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*TOWN of*  
**COALHURST**

*Municipal  
Excellence*  
RECOGNITION

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**VICIOUS DOG ORDER**

June 13, 2020

**Karen and Rhonda Waldner**  
**4406 Sundance Road**  
**Coalhurst, AB**  
**T0L 0V2**

This letter is to advise you that according to the Coalhurst Municipal Bylaw No 379-15, section 13(a) and (b), your Rottweiler breed type dog "Jaeger" has been deemed an "Aggressive Dog", and as such the following requirements must take place in order for you to remain in possession of such dog while residing in the Town of Coalhurst.

Apply for an Aggressive Dog License. License must be purchased within 7 days of this notice.

Pay the applicable violation fine within 21 days of service.

Bylaw No 379-15, section 17(a)(vi)(7):

Allowing or permitting a dog to attack or bite a person without provocation - \$300.00

Coalhurst Bylaw No 379-15, Sec 13(a) and (b), The following applies to the Owner of an Aggressive and/or Vicious Dog:

**Section 13**

**a. Aggressive Dog**

- i. The owner of a dog is responsible to determine whether or not his dog is aggressive and to take the precautions as required by the Bylaw.
- ii. The owner of an aggressive dog shall take all necessary steps to ensure that the dog does not bite, chase or attack any human or other dog whether the person or dog is on the property of the owner or not.
- iii. When on the premises of its owner, an aggressive dog shall be kept under control in a securely enclosed and locked enclosure, pen or other structure constructed and secured in such a fashion as to prevent the escape of the aggressive dog, and to prevent entry of person unauthorized by the owner.
- iv. When off the premises of the owner, an aggressive dog shall be securely muzzled, and shall be either harnessed or leashed securely to effectively prevent it from attacking or biting a human or other dog.
- v. If an aggressive dog bites or attacks a person or other dog, the owner shall be guilty of an offence and liable to a fine under this Bylaw, exclusive of any civil action or penalty.

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- vi. If the Dog Control Officer or Peace Officer determines, on reasonable grounds, that a dog is aggressive, either through personal observation or on the basis of facts determined after an investigation initiated by a complaint, he may:
  - 1. Give the owner a written notice that the dog has been determined to be aggressive.
    - a. The notice to include instructions on how the determination can be appealed, and
  - 2. Order the owner to comply with provisions for aggressive dogs in this Section of the Bylaw.
- vii. The owner of an aggressive dog may appeal the designation of "aggressive" by filing an appeal in accordance with the procedure for appeal as established in 13(b) of the Bylaw.
- viii. The Dog Control Appeal Committee must hear the appeal providing the written objection and the fee are filed with the Town Office within the appeal period.
  - 1. The hearing must take place within 21 days of receiving the appeal and the appropriate deposit.**
- ix. When hearing an Appeal into a determination that a dog is aggressive, the Dog Control Appeal Committee:
  - 1. May uphold the decision of the Dog Control Officer or Peace Officer,
  - 2. May disagree with the decision of the Dog Control Officer or Peace Officer,
  - 3. May conduct its own investigation and set any condition(s) it feels is appropriate.
- x. In addition to the remedies set forth in this Bylaw, if the Dog Control Officer or a Peace Officer, determines that an aggressive dog is not being kept in accordance with this Bylaw, or an order given by the Dog Control Appeal Committee, he may:
  - 1. Seize and impound the dog and take action as outlined in Section 13(b) of this Bylaw, or
  - 2. Make an application to the Court of Queen's Bench for an order directing that such dog be controlled in accordance with this Bylaw, or be removed from the Town, or
  - 3. Make an application to the Court of Queen's Bench pursuant to the Dangerous Dog Act for an order directing the dog be controlled or destroyed.
- xi. Provisions in the Bylaw, which apply to aggressive dogs, shall not apply to a trained police dog owned, kept, maintained or harboured by a peace officer under the authority of a law enforcement agency.

b. **Vicious Dog**

- i. If the Dog Control Officer or a Peace Officer determines on reasonable grounds that a dog is a vicious dog, either through personal observation or on the basis of facts determined after an investigation initiated by a complaint, he may:
  - 1. Give the owner a written notice that the dog has been determined to be a vicious dog and seize and impound the dog in accordance with this section of this Bylaw.
- ii. If the Dog Control Officer determines a dog is a vicious dog, under this section,

1. A notice must be delivered to the owner of the dog, if the owner can be located
  2. Such notice must advise the owner that the dog has been determined to be vicious and that the dog will be destroyed unless a written objection is delivered to the Town Office in accordance with this Section of this Bylaw.
  3. The notice to the owner must be hand delivered to the residence of the owner within 24 hours of the dog being impounded.
- iii. The Dog Control Officer shall keep any impounded vicious dogs for a period of seventy-two (72) hours from the time of impounding.
1. Sundays and Statutory Holidays shall not be included in computation of the seventy-two (72) hour period.
- iv. An owner of an impounded vicious dog may object to the determination that the dog is a vicious dog by delivering a written objection, with a cash deposit in the amount determined in the fee schedule to the Town of Coalhurst, 100-51 Avenue, Coalhurst, Alberta.
1. If no objection is received by the Town Office within the seventy-two (72) hour impound period, the dog will be euthanized.
- v. The Dog Control Appeal Committee must hear the objection providing the written objection and the fee are filed with the Town Office within the appeal period.
1. The hearing must take place within 21 days of receiving the appeal and the appropriate deposit.
- vi. The Dog Control Appeal Committee may determine:
1. The dog is not vicious and order the return of the dog to the owner without attaching conditions and return the deposit, or
  2. The dog is vicious and order it destroyed subject to the owners filing an appeal at the Court of Queen's Bench. Such appeal must be filed within seven (7) days of the determination, not including weekends or Statutory Holidays.
    - a. If no appeal is filed within the timeline the dog will be destroyed forthwith.

Please feel free to contact the information below with any further questions or concerns you may have.

M. Marek  
Bylaw Enforcement Officer  
Town of Coalhurst

## **BYLAW ENFORCEMENT**

BOX 456, COALHURST, ALBERTA T0L 0V0  
TOWN OFFICE: (403) 381-3033 CELL: (403) 635-2529 FAX: (403) 381-2924  
E-MAIL: [bylaw@coalhurst.ca](mailto:bylaw@coalhurst.ca)  
WEBSITE: [www.coalhurst.ca](http://www.coalhurst.ca)



TOWN OF COALHURST  
Box 456, 100 - 51 Avenue, Alberta T0L 0V0

## VIOLATION TICKET

THIS TICKET/TAG IS FOR THE BREACH OF

SECTION: 17(a)(vi)(7)

BYLAW/OTHER: Dog Bylaw 379-15

OFFENCE: Attack or bite a person without provocation

AMOUNT \$ 300.00

YOU MAY MAKE A VOLUNTARY PAYMENT IN LIEU OF PROSECUTION FOR THE OFFENCE AGAINST THIS BYLAW WITHIN TWENTY ONE (21) DAYS FROM THE DATE SERVED. FAILURE TO COMPLY MAY LEAD TO PROSECUTION IN THE PROVINCIAL COURT OF ALBERTA.

### DATE OF ISSUE

YEAR: 2020 MONTH: 06 DAY: 13

TIME: 2040 AM / (PM)

LOCATION: 4406 Sundance Road

### VIOLATOR/VEHICLE INFORMATION

NAME: Karen Waldner

ADDRESS: 4406 Sundance Road

POSTAL CODE: T0L 0V2

VEHICLE  
LICENSE #:

PROVINCE: ALBERTA OTHER:

MAKE: MODEL:

COLOUR: YEAR:

ISSUED BY: Bylaw Officer Marek

AGENCY: Town of Coalhurst Bylaw

### METHOD OF PAYMENT

**IN PERSON** TOWN ADMINISTRATION OFFICE 08:30 AM TO 16:30 PM  
**AFTER HOURS** PUT COMPLETE TAG/TICKET AND CHEQUE OR MONEY ORDER (NOT CASH) IN AN ENVELOPE AND PLACE IN DROP BOX LOCATED AT THE FRONT OF THE TOWN ADMINISTRATION BUILDING.

**BY MAIL** SEND COMPLETE TAG/TICKET AND CHEQUE OR MONEY ORDER (NOT CASH) TO:  
THE TOWN OF COALHURST  
P.O. BOX 456, 100 - 51 AVENUE  
COALHURST, ALBERTA T0L 0V0

No. 1165



## Melanie Marek

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**From:** DONOTREPLY@coahurst.ca  
**Sent:** June 13, 2020 2:41 PM  
**To:** Melanie Marek  
**Subject:** New submission from Complaint Form

### Name of Complainant

Sarah Cederholm

### Physical Address of Complainant

4424 Lake Drive Unit 1  
Coahurst, Alberta TOL OVO  
Canada  
[Map It](#)

### Phone Number of Complainant

(250) 1-1

### Email Address of Complainant

1@hotmail.ca

### Are you willing to testify in court?

Yes

### Nature of Complaint

My name is Sarah Cederholm and I live in Salmon Arm, BC. I am currently in Coahurst Alberta visiting my brother and sister in law Shawnie. On June 12th at approx 1-3 PM, my sister in law Shawnie Cederholm, myself and two nephews went on a walk to the Coahurst school to play on the play set. I had my 7 year old dog Ollie with me on a leash. After we were finished at the playground we proceeded to walk back home. Since I do not live in Coahurst I am not certain of the exact location of the dog attack. The people involved in this story would know that information. We were on the sidewalk in Coahurst when a vehicle parked on the opposite side of the road. Two girls one being Karen Waldner got out of the vehicle and proceeded to let their dogs out from the backseat and or back of vehicle. I saw one dog a large Rottweiler come around the side of the vehicle. He saw us on the sidewalk and proceeded to run at my dog Ollie. The owner of the Rottweiler did not have him under control. I knew this rottweiler was going to attack him so I reacted as quickly as possible and stood in the way and tried to get the dog to back off. I continued to hold onto my dog as best as I could when the rottweiler continued to advance on us. At some point during the attack, the rottweiler bit my dog on the right side of his body. I fell to the ground and tried to use my leg to stop the rottweiler from attacking when the rottweiler bit me on the leg. I have 3 puncture wounds in my shin and the side of my calf is bruised. I did not realize my dog had been bitten at this point. Eventually the other girl (not the owner of the dog) was able to grab hold of the rottweiler. I was shaken up and quite frustrated by this attack. I knew I was injured and as I got back up I had to walk away from the situation to cool down. The two girls continued to call me back to them and they were equally as frustrated. When I saw my dog had been bitten I proceeded to the girls vehicle to obtain information from them and I took a picture of their license plate. I knew my dog needed to see the vet immediately and I also needed to go to the hospital for my bite. After I got their information (name, phone number, vehicle license plate) I continued to walk back to Shanwies house where I called the emergency vet and told them I was bringing my dog Ollie in. After I dropped him off at the vet, I went back to Shawnies house and called 811 to speak to a nurse about the bite on my leg. Because of the COVID I wanted to make sure that I needed to be seen by a doctor before entering the emergency room. A report was taken by the nurse that will be sent to Environmental Health Services about the dog bite. The nurse told me to go to the emergency as my bite wound needs to be looked at. At the hospital I was given antibiotics to prevent infection. Karen Waldner has been constantly texting Shawnie and we have the conversation at hand if needed. She was harassing us for information regarding my dog and said she wanted to take my dogs vet bill to go compare to other vet clinics. She also contacted to vet to find out information when my vet told her we can not give out information as this isn't your dog. I briefly talked to Karen on the phone when I returned from the hospital and tried to explain to her where I have been and what is happening to my dog and that she needs to be patient. This experience with her has been a nightmare. I called my vet and asked them how I should handle this situation and they asked me if I was okay to give consent on telling Karen the injuries and estimated cost of surgery. I agreed to this and gave them Karens contact information. The vet clinic and Karen took care of the payment on their own without me involved. I picked up Ollie this morning at around 7 am June 13th 2020.

I wrote a post on my personal facebook page about Ollie and I being attacked by this dog with no names or information regarding the incident other than we were attacked by a dog. Somehow Karen or one of her friends found access to my

personal facebook page and Karen is not happy about what I have posted on facebook. She is still texting my sister in law Shawnie and we no longer know how to deal with this situation. Karen was fully responsible for paying this vet bill and I feel I do not have to give her any information regarding myself or my dog Ollie. I am from another province and wanted nothing to do with Karen other than her paying the vet bill which she did. Concerned for the safety of Coalhurst, I now feel it is important more authority knows of this unprovoked dog attack. We had a 5 month old baby with us and a 6 year old who watched this entire attack.

I have proof of all conversations between Karen and multiple picture of my injuries and Ollies injuries. Ollie had to have surgery and now has a long recovery because of this dog attack. I did everything in my power to protect him from this Rottweiler. This Rottweiler was coming at Ollie my dog to kill him and I managed to prevent that from happening by getting in the way. I was the only one who fought off this dog until the girl with Karen had him under control.

I have multiple photos of all wounds on myself and Ollie.

When I was notified that Karen or her friend have been looking at my personal facebook account, I set it to private so they can no longer access any information about me.

Vet clinic - Family Pet Hospital

Vet who worked on Ollie - Dr. Teri White

### Consent

☒ I confirm that the information given in this form is true, complete and accurate.

C2



## **TOWN of**

# **COALHURST**

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Victim: Sarah CEDERHOLM

Statement: Q and A on June 22, 2020 via telephone

**Q: Where were you located at the time of the dog attack?**

A: On 45 Ave near 6 Street on the right side of the sidewalk walking into Sundance

**Q: Where was the vehicle that the dog came out of?**

A: Across the street, in the area where people walk their dogs off leash behind the houses. There was a black SUV and a white car. I believe they were in the area that people like to walk their dogs off leash behind the houses.

**Q: What did you see before the dog attack?**

A: I saw them getting out of the vehicle. The Rottweiler got out of the passenger side. The dog walked around to the front of the black vehicle. The dog had a leash on but was not being held or controlled by anyone. The Dog looked over at us across the street and started running towards us. I knew the Rottweilers sight and focus was on my dog Ollie, who I had on a leash. I knew the dog was not coming to play and was going to attack Ollie as he locked eyes and ran straight at him.

**Q: What did you feel the Rottweiler's intentions were when he ran towards you?**

A: I knew he wanted to kill Ollie. I just had that feeling.

**Q: Was Ollie on a leash?**

A: Yes, he was on a retractable leash and was let out a few feet.

**Q: What did you do when you saw the Rottweiler running at your dog?**

A: I started to pull the leash closer to me to protect Ollie and get him closer. The Rottweiler wouldn't back away and was chasing Ollie. I got rope burn on my arm from my leash. I told the dog "No, Back" and stepped in between the two dogs to try and protect Ollie. The Rottweiler kept chasing Ollie to attack or kill him. At this point I believe the Rottweiler bit my dog but I did not see it due to the chaos of the attack.

**Q: When the Rottweiler was running at your dog, did you kick him before the attack?**

A: No. I would never kick a dog, I just said No, back! It happened really fast and I was trying to protect Ollie. I knew that the Rottweiler wanted to kill Ollie and I was trying to get the dog to back away and stop.

**Q: Then what happened?**

A: I fell to the ground over the dogs. I stuck my leg out to stop the Rottweiler and to protect my dog. The Rottweiler then bit my left lower leg and released.

**Q: Did the dog release right after the bite or did he shake or hold on when you were bit?**

A: No, he bit and then released right away.

**Q: Did either of the girls yell or stop their Rottweiler from attacking?**

A: Not until after the attack. I believe it was the other girl with Karen that came and grabbed the Rottweiler's leash. I still didn't know that Ollie had been bit at this point. I had walked away in frustration and I needed to cool down because I was hurt.



**Q: What did the girls do next?**

A: They called us back, the girls were frustrated and mad at us in a negative way. This is when I noticed that Ollie had been bit and I told them that I needed a moment to calm down.

**Q: Did you go back to the girls?**

A: Yes, I walked back towards the girls and we exchanged information. I took a photo of Karen's vehicle plate and then told them that I needed to get Ollie to the vets. Karen was upset with me and said "Are you going to report me?"

**Q: At any time during the attack, did you kick or make contact with the Rottweiler?**

A: No

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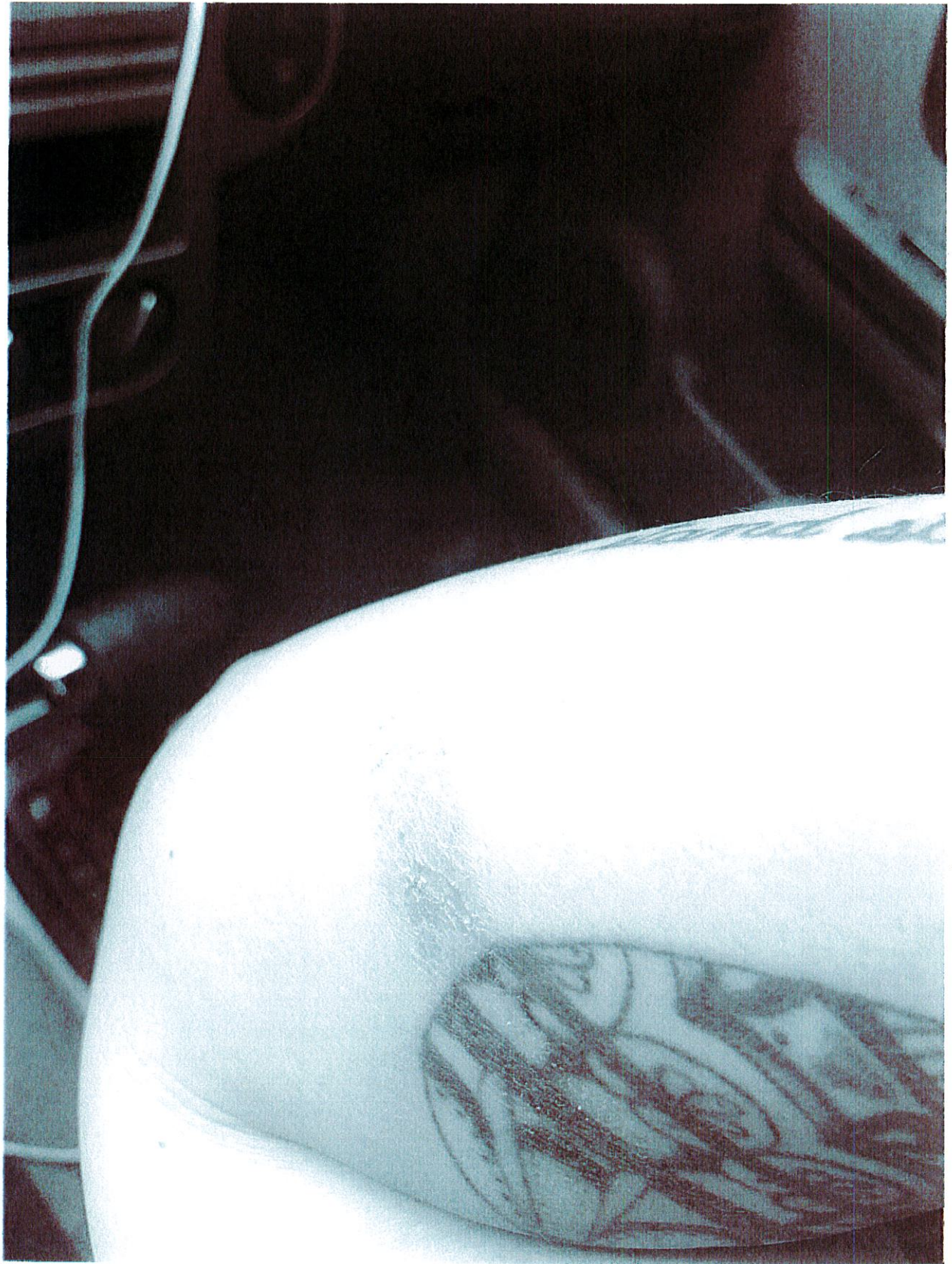
C10





C11





C12

## Melanie Marek

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**From:** Sarah Cederholm <y@hotmail.ca>  
**Sent:** June 22, 2020 2:41 PM  
**To:** Melanie Marek  
**Subject:** Extra information about dog attack

Thanks for dealing with all this the way you do! I do not live there but I'm sure I'm speak for many when you are appreciated as a bylaw officer. You are excellent at your job.

Here is the pic of my arm where I was wrapping the leash around it and then the screen shot of my Facebook post. I have since made my account private.

Shawnie Cederholm Statement – 2020, June 23 -

On Friday June 12, 2020 at about 1500 hrs myself, my sister in-law, and my two children aged six and five months old were walking close to the corner of 45<sup>th</sup> and 6<sup>th</sup> ave. We were on the north sidewalk walking into the Sundance subdivision. The Five-month-old was being pushed in stroller by me and my six-year-old was walking to my left. Sarah my, sister in law, was holding her male whippet on an extendable leash. Sarah and the whippet were in front of us slightly with the whippet walking on the south side of the sidewalk. A black SUV and white hatchback car were parked on the north side of the street across from us. As we were rounding the corner, I noticed a tan colored dog poking its head out in front of one of the vehicles. After noticing that dog, I seen a rottweiler running very quickly across the street directly in the direction of the whippet.

The rottweiler ran without hesitation and as Sarah tried pulling the whippet to her right side, the rottweiler started mauling the torso of the whippet. They went down an embankment slightly where the dog continued to pursue. Sarah stuck her hand out saying "stop" about two times in attempts to get in between the dogs. Sarah then fell to the ground and stuck her leg out in defense. The rottweiler then started to maul Sarah's leg.

One of the owners then pulled the rottweiler away by its harness. The rottweiler then stayed with the owner, who was now holding onto the rottweiler. Sarah and the whippet then came back up onto the sidewalk.

When myself and my children caught up to Sarah as she was walking away, I was yelling after her if she was ok, she said "I'm fine my leg just hurts." At the same time, we were being yelled at to come back and to not "just walk away" and to not just "go and report it".

Sarah then noticed a wound on the side of her whippet. At this time, she walked back to get all their information and me and my children followed. I was a co-worker of one of the girls (Karen Waldner) we made sure we had the correct numbers to stay in contact about this incident and she made it clear that she had no problem paying for the vet bill. We then walked home, and the whippet was taken to the vet along with Sarah for a following up at emergency for her leg.

Following the incident Karen Waldner contacted me via text message and phone call multiple times regarding the incident. Karen was extremely concerned about how much it would cost her and discouraged reporting the incident. (texts forwarded to by-law officer)

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## Melanie Marek

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**From:** Shawnie Cederholm <1@gmail.com>  
**Sent:** June 16, 2020 5:51 PM  
**To:** Melanie Marek  
**Subject:** Dog attack  
**Attachments:** Screenshot\_20200616-173718.png; Screenshot\_20200616-173742.png

Hello there, Sarah had asked me to send the location of where the event happened and photos of the conversations between Karen and I.

(I Apologize for the swearing on my behalf)

And also, there was a phone call from her inbetween one of the messages.

It happened close to the corner of 45th and 6th Ave we were on the north sidewalk walking into Sundance ,they were on the south side of the street.

D2

# Karen Waldner's Statement

1. At 3:03pm on Friday June/12/2020, I Karen Waldner was parked on 45 Ave (Coalhurst Ab), and my sister pulled up behind me. Since she had just gotten off work, we were going to walk to the dogs. I had all our 3 dogs in my vehicle, ready for their walk, which means they were all wearing a harness with a leash attached. My sister and I, co-own a medium size Pitbull named King, and a Rottweiler named Jaeger. The third dog that was with us is a Rottweiler named Bane, who my brother owns.

2. I got King out of the vehicle and went around to the passenger side where my dog sat down. My sister got Bane out, then proceeded to get Jaeger. At this point my sister told me that Bane's hip was dislocated. As she focused on the injured dog, Jaeger leash slipped out of my sister's hand. I looked up and saw the Jaeger running away. My sister immediately handed me Bane's leash and went to get Jaeger. At this point I held both dogs on the sidewalk, I heard a woman's voice screaming, and then cursing. I looked around the car and saw my sister standing with Jaeger on the leash calmly, and a woman with a dog followed by another woman, child and stroller walker away. I heard my sister yelling "are you guys okay, why are you leaving". At this point, I realized that something must have happened, so I got both the dogs in the car, since I couldn't bring them with me, with one of Bane's hip being dislocated. With both dogs in my car, I walked about 4 feet and yelled "why are you leaving?". The woman with the dog at this point realized her dog was bit. Both adults, children and dog came across the street to where I was standing on the sidewalk. As my sister followed with the Jaeger she came and stood next to us. At this point we are all standing approximately 4 feet apart with all involved dogs present, neither dog paid any attention to us or each other.

3. I gave my phone number to her friend as Sarah (the dog's owner) was too worked up and not paying attention to me. I stated many times we will pay for the vet bill as we take responsibility for allowing the leash to slip even though I didn't understand how the injury even happened. I explained that my dog has never attempted to bite or harm any human or dog. She told us she was okay, and had no intention of reporting this incident.

4. I followed up through text message with Sarah's friend a couple hours later after the incident to ask the dog's injuries, she at first told me the dog was in surgery at 7:37pm. While I questioned the dogs injuries and the vet treatment they began to raise their voices at me, and threaten me with involving the police. I hung up and later received a message from Sarah's friend that permission was given to the vet clinic to share the quotes and dog injuries and that she would be reporting us due to the vet forcing her. In both conversations with Sarah and the vet, I was told that due to her dog's size, how skinny he was and the length of my Rottweiler's teeth the dog had acquired two puncture wounds. I found out later from the vet that her dog had not been in surgery yet, and would still need a 30 min wound cleaning surgery before the bill could be paid. The surgery was pushed from between 7:30pm to 12:30 am, due to more pressing dog injuries that came in. My sister and I stayed up and waited for the vet to call us at 1:00 am Saturday, we immediately went in and paid the vet bill of \$1650.70 as we wanted to prevent any stress of her picking up her dog.

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5. On Saturday June/13/2020 at 3:12 pm I got a call from the bylaw officer (Melanie Marek) of Coalhurst, stating she needed my dog's immunization record emailed to her right away. She told me that she would need to meet with us tonight due to the dog bite report and my dog being under a "vicious dog order" now. I interrupted her 3 times because I needed to tell her that no one took our side of the story yet. I then asked her if I am receiving any fines. She stated yes, even though she had only heard one side of the story. She asked me if she needed to bring the RCMP due to the previous conflict my family has had with her, I stated it was up to her. She told me she will be there after 5:00 pm then later emailed me that she will come after 7:00pm.

6. On June 5th I had reported the bylaw officer (Melanie) to the chief administrative officer (Kim), for her approach towards me and my sister and that we feel we are being harassed by her. A month before my sister and I, had been approached by the bylaw officer on foot with my dogs on the leash with full control of them. I got a verbal warning due to her claiming that she had previously seen my dogs off leash in the park a few days before, where she saw me but did not approach me at the time. At the time she approached me to give me a warning I had both my dogs on the leash while other dogs in the park were off leash playing with their owners which upset me. My dogs did not bark or pay attention to her standing 4 feet away while we had a heated exchange, which was witnessed by my sister and friend. My family and friends have seen her circle my house regularly since our encounter with her. I reported the bylaw officer after a parking ticket was given to my brother without a warning and or notice as we felt targeted. Kim told me he would speak to her and if there were any problems he would report back to me.

7. After 9:00pm Saturday June/13/2020 the bylaw officer and RCMP officer who I was not introduced to showed up at our door. She approached me and asked me to share my side of the story. I told her my side of the story as I stated above. I even reminded the bylaw officer that she had previously been in close proximity to Jaeger, and he did not bark or show aggression towards her. She then smirked at me and told me that "yes, he actually did bark at me". I became frustrated as I knew she was lying, and I have two witnesses with me to back it up. My mother came out on the porch with me, to be my witness. She was frustrated with the conversation and ended up asking the bylaw officer why she made us wait all night for her to show up. The bylaw officer replied with a smirk and said "I do not need to tell you, I can do what I want". The RCMP officer then spoke up and asked my mother why she was involving herself and that she needed to go inside. I spoke up and told the officer that this is my mothers' house, she pays the taxes in this town and helps pay for our dogs. I told him I have a right to have a witness just like the bylaw officer does. At one point in the conversation, the previous conflicts we have had with the bylaw officer came up and the RCMP officer spoke up and made us aware that he knows the bylaw officer on a personal level and then shared that he knew about our previous dealings and issues with this bylaw officer. At that point I realized that the RCMP was informed of all our prior conflict, and it made sense to me about why he had been so biased towards us. I was frustrated that the RCMP was on her side, and not a mutual witness for both parties. I started to wonder if this is why she had taken so long to show up, if she was waiting until he was on duty.

8. Instead of resolving the conversation, she immediately switched topics and brought out her paperwork. She stated: "Here is a vicious dog order" and at this point I had stopped and pointed out that under the definition of the Coalhurst bylaws, the "vicious dog order" states the phrase "without provocation" several times, which she then agreed to and stated "well it's aggressive dog which is different but kind of the same thing". She agreed that he is not a "vicious" dog by the definition. The bylaw officer told me that she forgot some of the paperwork and handed me the aggressive dog bylaw rules and a ticket violation for \$300 that clearly states that the dog bit without provocation and dated at 8:40pm. I then questioned her about the non provocation as we had just discussed that my dog was kicked and that he had been provoked and for this reason he should not be labelled a "Vicious" dog. When I kept asking the bylaw officer about the woman who kicked my dog and how this was not provoking my dog, the bylaw officer did not respond to me. I believe this is because she wrote the fine before hearing my side of the story or even investigating the incident. The bylaw officer agreed that my dog was not under a vicious dog definition, but gave me the fine without clarifying the ticket. At that point the RCMP officer spoke up for her and stated that the woman had a right to defend herself. I agreed with the RCMP officer about the right to defend yourself against a dog, however my dog didn't charge her, he was trying to greet her dog and she threw herself in between the two dogs and then kicked him, according to what my sister saw. The bylaw officer continuously stated if you have any questions please feel free to ask, so I asked if this ticket is mandatory or if she had a choice. She smirked at me and said "yeah I kinda have to".

9. On a personal note I feel my dog is not given a chance due his size and breed. He is a 2 year old Rottweiler who has never had any problems or signs of aggression. He has been at the Lethbridge off leash dog park since he was 4 months of age, he has been off leash at family and friends events with 100 plus people including many children and dogs. I have had him at the retirement home where I work. Never ever has my dog been aggressive or harmed any individual at any of these places. We have spent a lot of money on professional training as well as countless hours trying to prevent any situation due to the unfair reputation of having a Rottweiler. We will continue to work with our trainer, especially now to make sure this never happens again. This was an unfortunate event, but could have easily been prevented had we just had held the leash tighter. We are taking every precaution we can to ensure this never happens again, including walking our dogs individually, to ensure we have full control. My dog is now ordered to be muzzled for the rest of his life and treated like this because of one incident. I am a responsible dog owner that is why I paid for the vet bill right away. If I, at any point, thought my dog was aggressive even after this situation, I would protect the community from him. However I do not believe this is the case, as friends and neighbours are shocked by the vicious dog order we have been given. ~~I do not want to be forced out of my hometown.~~

I have grown up here, my parents have lived in Sundance for 8 years, and in Coalhurst for 19 years. I feel I need to move out of my hometown and I am very upset about it.



Thanks,

Karen waldner.

E4

1. At 3:03 pm on Friday, June 12/2020, I arrived on 45th ave in Coalhurst, Ab. I met my sister Karen, who was already parked. Karen had our two dogs (Jaeger and King) and my brothers dog (Bane) in her vehicle. Jaeger and Bane are both Rottweilers and King is a Pitbull. We needed to walk our dogs as they had not exercised that day. I got Jaeger out of the car, he had a harness and a leash attached to him, which I had in my hand. I then got Bane (who has hip dysplasia) out of the vehicle, as he got out he dislocated his leg and I was trying to tend to him. I was unaware that 2 women with a child, and a stroller had come around the corner with a dog. Our vehicle was blocking our line of sight with them. As I bent over to check on Bane, Jaeger ran across the road, causing the leash to slip out of my hand. I immediately gave Banes' leash to my sister, and ran after my dog. While calling his name I saw the woman with the dog, she raised her hands and screamed at my dog while he was 3 feet away. She then ran at my dog and kicked him in the face. Jaeger attempted to jump away from her and ran to the other side of her. She turned back to him while holding her dogs leash and continued to chase and kick him for about 3 seconds. During this she fell to the ground because of a slant in the grass. I believe this is when my dog nipped her and her dog. I was finally able to grab him because she wasn't being chasing him anymore.

2. I had apologized and asked if she was okay, she said that she was fine and started to walk away. I yelled after them to stop and make sure that they are okay. She ignored me and continued to walk away, while my sister shouted for their attention, she realized her dog had been bit. She then turned around and told me that we are paying for his vet bill. We walked over to my sisters vehicle together with our dogs and her children. We all stood about 4 feet apart. Jaeger made no attempt to pull on the leash or to even have contact with her or her dog. I lifted Jaeger in the vehicle and watched my sister exchange contact information. During this time the woman told us she has no intention of reporting us, and that she was viciously attacked by another dog not long ago in the same area. We agreed to pay the vet bill because I felt it is my responsibility for letting the leash slip out of my hand, even though she had provoked him into defending himself.

3. I returned to work but ended up leaving early to dealing with this situation. My sister made contact many times with the woman. She would not give us an update on the dog or the cost of the vet. After my sister questioned her about the dogs injuries, on speaker phone, things became tense. She threatened my sister with police and told us we were being argumentative. Eventually she granted the vet permission to update us. She also told us at this point that the vet had told her she must report us to Alberta Health Services. The vet bill was \$1650.70 which we drove into Lethbridge at 1 am to pay, so that she could pick up her dog without any issue. She made no contact to us, to even let us know that she had picked up her dog, and he was okay.

4. I disagree with both the vicious dog order and the aggressive dog order. As a bylaw officer I feel you should listen to both sides of a story, and then come to a conclusion, no matter the history with the person. She wrote the fine before she arrived at our house, and issued it even after she had agreed that our dog was provoked. I personally remember the bylaw officer being in close contact with Jaeger, at no point in time did he act aggressively towards her. I do not feel

as my dog should be punished for the rest of his life, because of a mistake I made, that allowed him to be attacked by this woman. I understand that she believed she was defending herself, but he did not approach her aggressively. He is a large dog, who was excited to greet another dog, at no point did he growl, bark or raise his hackles. I have spent many hours socializing and training my dog, to prevent him from attacking anyone. I have been to 2 different professional trainers, he made no attempt to hurt either of them. My dog has been to our work pig roast that have over 100 people attending them, along with many off leash dogs and young children, and has never even attempted to harm someone. He visited the Lethbridge dog park regularly since he was a pup without any incident and loved meeting new dogs. I have reached out to my dog trainer regarding this incident, and I intend to continue working with him, especially now that Jaeger has been kicked by a human.

Rhonda Waldner

F2

## Family Pet Hospital - EMERG Client

2303 6th Avenue South  
Lethbridge, AB T1J 3W6  
403-320-5200

Visit us on the web at: [www.familypet.ca](http://www.familypet.ca)

**FOR:** Sarah Sederholm  
150 St NE  
Canoe, BC V0E 1K0  
(250) 411-1111

**Printed:** 6/14/2020 at 6:10p  
**Date:** 6/13/2020  
**Account:** 26553  
**Invoice:** 209258

Date	For	Qty	Description	Price	Discount	Price
6/12/2020	Ollie	1	Emergency Examination*			189.00
6/12/2020		1	Surgery Prep, Clip, Clean and Disin*			35.90
6/12/2020		1	Blood Collection*			26.50
6/12/2020		1	Comprehensive panel (CHEM17) + *			201.90
6/12/2020		1	Electrolytes Panel -Add On-*			33.40
6/12/2020		1	X-Ray - Set-up & 2 Views*			245.30
6/12/2020		1	IV Catheter Placement ONLY*			62.10
6/12/2020		1	Tranquilization and Reversal*			163.60
6/12/2020		1	Local Anesthetic*			76.60
6/12/2020		3.50	Wound Repair / per 10 min*			411.25
6/13/2020		1	Injection IV SC or IM in clinic patient*			40.95
	Items used...	7.20	Metacam 20ml 0.5% Inj - per 0.1ml			
6/13/2020		6	Metacam Oral - 1.5mg per ml - disp*			37.35
6/13/2020		20	Aventiclav 250mg -per tab-*			48.25

Total charges, this invoice...	1572.10
G.S.T....	*78.60
P.S.T....	*0.00
Total, this invoice...	1650.70

Your old balance...	-1651.00
Your new balance...	-0.30

Patient	Total charges
Ollie	1572.10

### Ollie's weight history (in kgs)

6/12/2020	18.00
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PAYMENT IS DUE AT TIME OF SERVICE. MEDICATIONS ARE NON-REFUNDABLE.

G1

**Family Pet Hospital - EMERG Client****Patient Chart**

2303 6th Avenue South  
Lethbridge, AB T1J 3W6  
403-320-5200

Printed: 6/14/2020 at 5:36p

**CLIENT INFORMATION**

**Name** Sarah Sederholm (26553)  
**Address** 750 St NE  
Canue, BC V0E 1K0  
**Phone** 250

**PATIENT INFORMATION**

<b>Name</b>	Ollie (43618) (Record - 45950)	<b>Species</b>	Canine
<b>Sex</b>	Male, Neutered	<b>Breed</b>	Whippet
<b>Birthday</b>	6/14/2013	<b>Age</b>	7y
<b>ID</b>		<b>Rabies</b>	
<b>Color</b>	White With Grey	<b>Weight</b>	18.00 kgs
<b>Reminded</b>	(none)	<b>Codes</b>	
<b>note</b>	6/12/2020		

(No reminders are due for this patient.)

**Ollie's weight history (in kgs)**

6/12/2020	18.00
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**MEDICAL HISTORY**

Date	By	Code	Description	Qty (Variance)	Photo
6/13/2020	ST	NOTE	Note		
KH: 6/13/2020 at 2:58p: Sarah authorized over the phone to release records to Melanie Marek the bylaw officer in Coalhurst for the investigation. Email records to bylaw@coalhurst.ca. EP: 6/13/2020 at 3:00p: Heard second verbal authorization to release records to Bylaw officer in Coalhurst re: recent dog attack.					
6/13/2020	TW	RTG	Ready To Go		
Karen (403 795 9448) is the owner of the dog who attacked Ollie and is paying the bill via cash.					
		124220	Aventiclav 250mg -per tab-	20	
Give one tablet by mouth every 12 hours for 10 days. Give after a full meal. Report any vomiting, diarrhea or decreased appetite.					
		10-625	Metacam Oral - 1.5mg per ml - dispense	6	
Starting tomorrow June 14th with breakfast, give full contents of one syringe (1.2 mL) by mouth every 24 hours for 5 days. GIVE WITH FOOD. Stop if any vomiting, diarrhea or decreased appetite occurs.					
		P299	Injection IV SC or IM in clinic patient		
Metacam 0.72 ml SQ					
6/12/2020	TN	NOTE	Communications		
HT: 6/13/2020 at 12:31a: Imom that Ollie just finished surgery and it went well, he is just recovering					

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**Family Pet Hospital - EMERG Client**  
 2303 6th Avenue South  
 Lethbridge, AB T1J 3W6  
 403-320-5200

**Patient Chart** for Ollie  
 Date: 6/14/2020, Time: 5:36p

Client: Sarah Sederholm  
 Page: 2

Date	By	Code	Description	Qty (Variance)	Photo
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and she can pick him up in the morning.

AK: 6/13/2020 at 12:13a: Karen phoned back, said call her when the invoice is complete and she will come in and pay. Can only pay in cash, no other option.

AK: 6/12/2020 at 10:51p: Called Karen - said she cannot afford it and doesn't know why its so expensive. She complained that Sarah kicked her dog (while it was attacking Sarah & Ollie with her children around her) and that Sarah needs to help her pay for the surgery or Sarah can take her to court. I told her to discuss that with Sarah re:payment.

AK: 6/12/2020 at 8:26p: Sarah called to give us the phone number for Karen, the owner of the dog that attacked Ollie. Sarah consented to going through the estimate and medication information regarding Ollie's injuries as well as payment of the invoice.  
 Karen (owner of the attacker) - 403 795 9448

Karen said to call anytime tonight to go over estimate and treatment. - KH

6/12/2020	TW	IVLSO	Requisition 45950-1022391			
<u>Test</u>	<u>Result</u>	<u>Flag</u>	<u>Normal Range</u>		<u>Measure</u>	
			<u>Low</u>	<u>High</u>		
<b>ProCyte_Dx 6/12/2020 7:24p</b>						
RBC	7.63		5.65	8.87	x10 <sup>12</sup> /L	
HCT	54.7		37.3	61.7	%	
HGB	19.5		13.1	20.5	g/dL	
MCV	71.7		61.6	73.5	fL	
MCH	25.6		21.2	25.9	pg	
MCHC	35.6		32.0	37.9	g/dL	
RDW	15.4		13.6	21.7	%	
%RETIC	0.3				%	
RETIC	20.6		10.0	110.0	K/μL	
RETIC-HGB	27.7		22.3	29.6	pg	
WBC	13.58		5.05	16.76	x10 <sup>9</sup> /L	
%NEU	87.5				%	
%LYM	7.5				%	
%MONO	4.3				%	
%EOS	0.6				%	
%BASO	0.1				%	
NEU	11.87	H	2.95	11.64	x10 <sup>9</sup> /L	
LYM	1.02	L	1.05	5.10	x10 <sup>9</sup> /L	
MONO	0.59		0.16	1.12	x10 <sup>9</sup> /L	
EOS	0.08		0.06	1.23	x10 <sup>9</sup> /L	
BASO	0.02		0.00	0.10	x10 <sup>9</sup> /L	
PLT	226		148	484	K/μL	
MPV	12.7		8.7	13.2	fL	
PDW	14.4		9.1	19.4	fL	
PCT	0.29		0.14	0.46	%	
<u>Test</u>	<u>Result</u>	<u>Flag</u>	<u>Normal Range</u>		<u>Measure</u>	
			<u>Low</u>	<u>High</u>		
<b>Catalyst_One 6/12/2020 7:31p</b>						
GLU	5.86		4.11	7.95	mmol/L	
CREA	96		44	159	μmol/L	



2303 6th Avenue South  
Lethbridge, AB T1J 3W6  
403-320-5200

Client: Sarah Sederholm

Page: 3

6/12/2020	TW	P381	Wound Repair / per 10 min	3.50
		A115	Local Anesthetic	
		A125	Tranquilization and Reversal	
		H143	IV Catheter Placement ONLY	
		RU200	X-Ray - Set-up & 2 Views	
		L121	Electrolytes Panel -Add On-	
		L360	Comprehensive panel (CHEM17) + CBC	
		P219	Blood Collection	
		S285	Surgery Prep, Clip, Clean and Disinfect	
		C119	Emergency Examination	
		VISIT	Patient check-in	

**Age:** 7y      **Weight:** 18.00      **Temp:** 39.00      **Respiration:** 60.00      **Pulse:** 120.00  
**CRT:** <2 secs.

## SUBJECTIVE SECTION

dog attack near hind end, O also was attacked, Rottie - q189

## History

Chief complaint: attacked by a rottweiler while walking Ollie on leash with her 2 small children, the dog bit Ollie and Sarah's leg (O is seeking medical attention)

- E/D/U/BM: normal
- V/D/C/S: no
- Diet: Acana grain free 2 years
- Attitude/energy/activity: normal
- Current meds, supplements: none
- Previous vaccines: 1 Year ago
- Allergies: no



**Family Pet Hospital - EMERG Client**

2303 6th Avenue South  
Lethbridge, AB T1J 3W6  
403-320-5200

**Patient Chart** for Ollie  
Date: 6/14/2020, Time: 5:36p

Client: Sarah Sederholm

Page: 4

Date	By	Code	Description	Qty (Variance)	Photo
<hr/>					
- Past illnesses, accidents, surgeries etc: attacked by a dog last year (had a drain and chewed it out) BAR and friendly. BCS 4/9. MCS normal. mm pink/moist, CRT <2sec. Hydration status normal.					

**OBJECTIVE SECTION****BODY SYSTEMS**

General Appearance  
naf

Eyes  
clean and clear

Ears  
naf

Mouth-Teeth  
mild tartar, moderate wear, 404 fractured

Gastrointestinal  
abdomen is soft and nonpainful

Cardiovascular  
naf, ssp

Respiratory  
naf

Musculoskeletal  
ambulatory x 4, symmetrical muscle mass

Urogenital  
naf

Lymph Nodes  
naf

Coat-Skin  
right lateral caudal thorax-mid abdomen - 4cm full skin thickness wound, another puncture wound present  
at ventral caudal abdomen, the wounds communicate

Neurological  
normal mentation

**ASSESSMENT SECTION****NOTES**

A1: Dog bite wounds right lateral trunk

**PLAN SECTION**

G5



**Family Pet Hospital - EMERG Client**

2303 6th Avenue South  
Lethbridge, AB T1J 3W6  
403-320-5200

**Patient Chart** for Ollie

Date: 6/14/2020, Time: 5:36p

Client: Sarah Sederholm

Page: 5

Date	By	Code	Description	Qty (Variance)	Photo
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**NOTES**

Bite wounds were clipped and cleaned on presentation.

Discussed bite wounds with Sarah:

- they cause significant amount of trauma to deeper tissues (tendon, muscle, nerve, chest or abdomen etc)
- they cause a lot of crush injury, which damages blood vessels below the skin, damaged vessels no longer feed blood to local tissues, and these tissues can start to die which occurs over time, therefore living tissue today may die tomorrow or the next
- they are considered contaminated and/or infected and there is a high risks of tissue infections and/or abscesses.

Diagnostics recommended: CBC, chemistry, electrolytes, radiographs of affected areas

Diagnostics elected by owner/agent: all

Treatments recommended: pain control, antibiotics, sedation, surgical exploration of bite wounds to remove any dead tissue and lavage of the area to reduce infection.

Discussed risks of sedation, general anesthesia and surgical repair- ADR, aspiration, pneumonia, death, pain, infection, dehiscence (wound opening), and tissue necrosis (death of crushed tissues). Sometimes bite wounds require more surgical intervention if wounds fail to remain closed. Provided owner with an estimate. Owner elected to move forward with whole plan.

**Plan**

- CPR Status: CPR
- Pre-anaesthetic bloodwork: stress leukogram, otherwise naf
- Pre-sx x-rays: no evidence of chest or abdominal involvement noted on x-rays
- Placed IVC
- See Anesthetic sheet for sedation protocol, analgesia, local analgesia and intra-op fluid therapy

Bite wound repair and lavage procedure:

The wound was surgical prepared and then lavaged with sterile saline.

A full skin thickness incision was made over both wounds (~ 6-8cm long) connecting the wounds since they were already communicating. The affected tissue edges were excised, necrotic fat was excised and the wound was debrided. Another puncture wound was also found under the dermis, dorsal to the larger wound, between the last 2 ribs and was through the external muscle lateral. There was no evidence that the wound communicated with the chest cavity. The wound was debrided. The entire wound was then flushed with copious amounts of sterile saline. The torn muscle over rib 12-13 was sutured with 3-0 Monocryl with a cruciate. The SQ layer was closed in a simple continuous pattern using 3-0 Monocryl on a taper which successfully resolved the dead space. The dermis was closed in a ford interlocking pattern with 3-0 Monocryl on a taper.

Ollie recovered smoothly.

**Meds TGH**

- Amoxicillin/clavulanic acid 14 mg/kg PO BID x 10 days
- Metacam 0.1mg/kg PO SID x 5 days

Rec recheck & suture removal in 10-14 days, see discharge for more info

TW: 6/14/2020 at 2:45a: complete

G6

**Family Pet Hospital - EMERG Client**  
2303 6th Avenue South  
Lethbridge, AB T1J 3W6  
403-320-5200

**Patient Chart** for Ollie  
Date: 6/14/2020, Time: 5:36p

Client: Sarah Sederholm

Page: 6

Date	By	Code	Description	Qty (Variance)	Photo
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G7

Rhonda Waldner  
4406 Sundance Rd  
Coalhurst, AB T0L 0V2

Patient ID: 53293	Species: Canine
Patient Name: Laeger	Breed: Rottweiler

	<u>Description</u>	<u>Staff Name</u>
11/25/2019	Metacam 10ml Aventiclav 250mg E-Collar Buster 25cm Fds 2-0 Fs-1 Materials Injectable Anesthetic/Lge metacam injection/ml Lymphectomy L hind Diphenhydramine 50mg/ml/cc	Dr. Todd Baker

03/16/2022 Bordetella Vaccination  
03/16/2022 Rabies Vaccination

Print

Invo

#00074260

B:

pevic

E

L

H1

# Fort Macleod Veterinary Clinic

Box 1390

609 12th Street

Fort Macleod, AB T0L 0Z0

(403) 553-4887

Species: Canine

Breed: Rottweiler

Weight: 93.

Birthdate: 01/27/

Staff Name

Dr. Todd Baker

Qual

1.0

28.00

1.00

1.00

This is from our dog trainer

To whom it may concern:

My Name is Tim Meyer the last time that I saw Jaeger was over a year ago now. That time I did not feel that he was an aggressive dog. Rhonda was doing a good job training him. I did not feel that he would intentionally cause harm to another person or dog. Thanks for your time.

1:34

LTE



Sarah Lyndsay Cederholm

...

June 12 · 🌐

Update about Ollie for all who are messaging me and because I know you all love him just as much as I do. We are currently visiting family in Lethbridge from BC and today we went on a walk with my nephews and Ollie.

As we were walking home on the sidewalk with Ollie on a leash, a vehicle pulled up on the opposite side of the road and two girls let their dog (a Rottweiler, I know someone will ask what breed) out of the vehicle without having control over him. He caught site of Ollie and burst into attack mode. I managed to somehow fight the dog off and shield Ollie, however, somehow his tiny little whippet body made it into the jaws of the dog and Ollie had a big chunk taken out of him. I was bit on the leg but managed to protect Ollie until the dogs owners got the other dog under control. This dog would have killed him without a doubt. It was a completely unprovoked attack. Ollie is currently in surgery.... the EXACT same thing happened to him last year by yet ANOTHER massive dog. Ollie is the sweetest boy in the entire world and has never even let out as much as a tiny bark at other dogs. He lets children climb all over him, lets me smother him with hugs, plays with all other dogs and has been my best buddy since adopting him a few years ago. Here are a few pictures of him being the most adorable whippet in the entire world.

I would fight a mother f\*cking bear for Ollie. If all goes well I will pick him up tomorrow!!



J1

5:37



Karen Waldner



Friday • 3:03 p.m.



Hi

Fri. 3:03 p.m.

Friday • 6:43 p.m.



Hey, any updates with the dog ?

He's not yet. He's still at the vet.  
Sarah's just waiting at home to get her  
leg checked. But I'm guessing we will  
know sometime soon about Ollie.

Fri. 6:43 p.m. • SMS



Okay thanks

So Ollie is in surgery now. will be  
picking him up either tonight or  
tomorrow morning



Do you know his injuries ?

Can't say for sure until she goes to pick  
him up



Text message



K1

5:37



Karen Waldner



Can't say for sure until she goes to pick him up

There is nothing trying to be hidden or anything were not trying to do anything but be honest and for some reason these things take a long time. Sarah called the vet and gave permission for them to tell you all of his injuries and they will call you if you feel more comfortable dealing with them directly to pay.

Thanks

I feel that I have done everything possible to be a responsible pet owner that's why the first thing I did is yell after you guys to come back I have had issue with family pet hospital which is not ur fault I am making sure they are fair because my vet has nothing good to say about them and I'm not made of money I just want my vet to look it over I have a rotti which I spend hundreds of dollars on training to prevent this since his breed is trashed and he has been at dog parks and lots of other social place and has never had any problems so it upsets me that the



Text message



K2



5:38



Karen Waldner



problems so it upsets me that the report was done which I accepted but I don't need comments from her like "your going to pay" "I'll call the cops" because it was an accident the leash slipped from her hand.



Fri, 8:45 p.m.

Saturday • 12:20 p.m.

It's pretty sad how I'm an the one who yelled after you guys to come back and pay for your injuries. We 100 percent admitted fault and it was an accident. We have done every training we can to prevent the bullying of the breed since he was born. It was a accident. A friend just send me a post on Facebook of everything she wrote and it's pathetic especially since "she is a loving dog owner"

She said we are a nightmare to deal with because we asked questions about the dogs injuries and the cost? I was holding MY dogs that's why my sister went to get the other dog, who she owns by the way. To SAY a dog would have killed your dog is pathetic, he's never attacked a person or a dog before. I explained to you why he reacted the way he did because of your sudden movement against



Text message



K3

5:38



Karen Waldner



of your sudden movement against him and yelling which I completely understood. You seem to forget that you all stood beside HIM after the fact with NO ISSUES. We went at 1 am to pay the bill without any contact to you and we did not even get a response from you to say he's home. So keep spreading lies on facebook to make yourself look good. Karma is a really bitch.

You know what Karen I have been nice about this whole situation. I honestly am tired of you coming at me. My sister in law can post whatever she wants on her personal Facebook, it's all true. You didn't do anything. It should have never gotten to the point that someone has to come pull him off. If he's trained as well as you say his call back should be instant. There's NO excuses.

Stop playing victim because of the type of dog you have.

We were walking down the street with my KIDS and your dog fucking charged at us from all the way across the street. What if he came after my six year old son.

We have not had an apology from you one fucking time.



Text message



5:38



Karen Waldner



You paid for the costs of his surgery as is absolutely your responsibility. You need to let go of your ego and sit back and realize what actually happened.

I realize everything that happened if you were so threatened by my dog you walked right up and stood beside my dog with BOTH YOUR KIDS? I didn't do anything? I was holding 2 other dogs in my hands which you did not see clearly. She never gave me her contact info and we did apologies both of us. take care

Actually I waited across the street until Sarah was over there and your dogs were all in the car thank you very much. The bill is paid we do not need to have contact about this any further.

Not sure what you saw but 2 dogs were in the car and the other one was out u stood right there watching while we lifted him up. Not sure why there is a need to lie or maybe you don't remember but that's alright it's done with and I have no reason to talk to any of you anymore



Text message



TS

**TOWN of**

# **COALHURST**

---

## **Notice**

**Date:** May 14, 2020

Dear Karen Waldner,

This Notice is to inform you of the Town of Coalhurst Dog Bylaw No 398-18, Section 17(a)(vi)(5) regarding dogs off leash in the Town of Coalhurst.

It has been brought to my attention that you own a tan Pittbull dog named "KING", license #1618 and may be using Miners Memorial Park as an unleashed dog area. This is in contrary to the following:

**17. OFFENCES**

a. The owner of a dog is guilty of an offence if:

vi. The dog is allowed or permitted to:

5. Runs at large (off the owner's property while not on a leash and not under the control of a responsible person).

**18. PENALTIES**

- a. Any license issued may be suspended or revoked by the Dog Control Officer or the Dog Control Appeal Committee if the provisions of this Bylaw or any other relevant Bylaw or statute are not be complied with by the license holder.
- b. Where a Peace Officer believes that any person has committed a breach of any of the Sections of this Bylaw, they may cause a violation ticket to be served upon such person pursuant to Part 2 of the Provincial Offences Procedure Act, Alberta.
- a. Any person or owner who commits a breach of any of the provisions of this Bylaw shall be liable, upon summary conviction by any Court of competent jurisdiction to a fine not less than the fine imposed in the Fee Schedule and not exceeding Two Thousand Five Hundred (\$2,500) Dollars and in default of payment to imprisonment for a period not exceeding Six (6) Months

The Town of Coalhurst asks that you please take appropriate steps to keep all dogs on a leash while in the Town of Coalhurst. Failure to comply with the Bylaw could result in charges, penalties, or fines.

Please contact the Bylaw Officer with any further questions or concerns.

**ByLaw Enforcement Officer**  
**Town of Coalhurst**  
**Cell: (403) 635-2529 Town Office: (403) 381-3033**  
**E-mail: [bylaw@coalhurst.ca](mailto:bylaw@coalhurst.ca)**

L1

<b>TOWN OF COALHURST POLICY &amp; PROCEDURE MANUAL</b>	<b>SECTION: BYLAW ENFORCEMENT</b>
<b>POLICY: DOG CONTROL FEES</b>	<b>POLICY NUMBER: 26-01-02</b>

## PURPOSE

To establish a fee schedule for licenses, fines and charges associated with dog control as per the Dog Control Bylaw.

## COUNCIL POLICY

### 1. Dog Licensing

- |    |  |  |
|----|--|--|
| a. | Sterilized Dog (male or female)                          | \$20.00/year   |
| b. | Unsterilized Dog (male or female)                        | \$40.00/year   |
| c. | Aggressive (sterilized)                                  | \$75.00/year   |
| d. | Aggressive Dog (unsterilized)                            | \$100.00/year  |
| e. | Replacement Tags   | \$5.00/tag   |
| f. | Dog Fanciers License Application                         | \$25.00 (non-refundable)                                 |
| g. | Dog Fanciers License                                     | \$25.00/year (plus regular license fee per dog per year) |
| h. | Persons over the age of sixty-five (65) years            | One (1) free dog license per year (unless aggressive)    |
| i. | Registered assistance dog for a person with disabilities | No charge  |

### 2. Penalties For Violations – To be doubled if there is a second offence within a six (6) month period

- |     |   |
|-----|---|
| a.  | Owning or harbouring more than two (2) dogs on any property in the Town of Coathurst Land Use Bylaw, unless a Dog Fanciers License, or, Council permission has been obtained prior to the adoption of the Dog Control Bylaw. \$150.00 |
| b.  | Failure to register such a dog or obtain a license for such dog, within the time lines required in this Bylaw. \$150.00   |
| c.  | Failure to register, and keep in force, an aggressive dog license. \$500.00   |
| d.  | Failure to ensure the registered dog is wearing a collar and tag while off the premises of the owner. \$75.00   |
| e.  | Failure to confine a female dog in heat during the whole of the heat period except for the sole purpose of defecating on the premises of the owner. \$75.00   |
| f.  | Failure to immediately remove a dog's defecation. \$75.00   |
| g.  | Allowing or permitting a dog to:  |
| i.  | Be in a school ground. \$75.00  |
| ii. | Damage public or private property. \$75.00  |

Revision #6 – Final passage of Bylaw No. 366-13

Revision #7 – November 5, 2013

Revision #8 – October 20, 2015

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POLICY #26-01-02  
DOG CONTROL FEES

- iii. Bark or howl excessively or unnecessarily or otherwise creates a disturbance. \$75.00
- iv. Runs at large (off the owner's property while not on a leash and not under the control of a responsible person). \$75.00
- v. Molest or chase any person, dog, bicycle or motor vehicle. \$75.00
- vi. Attack or bite a person or dog without provocation. \$300.00
- vii. Upset waste receptacles thereby scattering the contents on premises not belonging to the owner. \$75.00
- viii. Be a public nuisance. \$75.00
- h. Failure to keep an aggressive dog in accordance with this Bylaw. \$500.00
- i. Failure to meet the conditions imposed by the Dog Control Appeal Committee. \$1,000.00
- j. Contravention to provisions in Section 15 - Diseased and Rabid Dogs, of this Bylaw. \$500.00
- k. Operation of a breeding operation or kennel. \$250.00
- l. Contravention to provisions of Section 12 - Interference, of this Bylaw. \$250.00
- m. Keeps and/or trains a dog for the purpose of dog fighting; or stages, organizes, arranges, holds, or takes part in a dogfight. \$1,000.00

3. Other Charges

- a. Initial Impound Fee .....\$30.00
- b. Care and Sustenance (per day or portion thereof to commence at midnight on the day of impound impoundment) .....\$20.00
- c. Veterinary Fee .....Amount expended
- d. Euthanasia Fee .....Amount expended
- e. Refundable deposit of sterilization .....\$100.00
- f. Purchase price - all dogs .....\$30.00  
(Plus sterilization deposit on unsterilized dogs)
- g. Deposit for a Dog Control Appeal Committee Hearing .....\$350.00
- h. Adoption into Animal Rescue.....Donation not to exceed the cost of Euthanasia, which shall be paid to the Animal Rescue

Revision #6 - Final passage of Bylaw No. 366-13  
Revision #7 - November 5, 2013  
Revision #8 - October 20, 2015

M2

**BYLAW NO. 379-15**

**A BYLAW OF THE TOWN OF COALHURST, IN THE PROVINCE OF ALBERTA,  
GOVERNING THE REGULATION AND KEEPING OF DOGS.**

**WHEREAS** the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, provides municipalities with the power to pass Bylaws for the purpose of:

- a. The safety, health and welfare of people and the protection of people and property;
- b. People, activities and things in, on or near a public place or place that is open to the public;
- c. Nuisances;
- d. Services provided by or on behalf of the municipality;
- e. Domestic animals and activities in relation to them; and for
- f. The enforcement of Bylaws.

**AND WHEREAS** the Council of the Town of Coalhurst, has decided that it is necessary for the protection of the public health, safety and welfare to provide for:

1. The regulation of all dogs within the corporate boundaries of the Town of Coalhurst,
2. The close regulation of dogs that are determined to be aggressive, and
3. The destruction of vicious dogs.

**NOW THEREFORE**, the Council of the Town of Coalhurst, in the Province of Alberta duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. The Bylaw may be cited as the "*Coalhurst Dog Bylaw*".
2. **DEFINITIONS:** the following definitions will apply for the purposes of this Bylaw.
  - a. "**Aggressive Dog**" means a dog, of any age which shows a propensity or disposition for aggressive tendencies toward people and other dogs.
  - b. "**Animal Protection Act**" means the Animal Protection Act, as amended, and as contained in Chapter A-41, of the Revised Statutes of Alberta, and regulations thereunder.
  - c. "**Dangerous Dog Act**" means the Dangerous Dog Act, as amended, and as contained in Chapter D-3, of the Revised Statutes of Alberta, and regulations thereunder.
  - d. "**Distress**" means when an animal is
    - i. *deprived of adequate shelter, ventilation, space, food, water or veterinary care or reasonable protection from injurious heat or cold, or*
    - ii. *injured, sick, in pain or suffering, or*
    - iii. *abused or subjected to undue hardship, privation or neglect*
  - e. "**Dog**" means and includes both male and female of the domestic Canine family.
  - f. "**Dog Control Officer**" means any employee, person, firm or corporation hired, appointed, required or contracted to carry out the provisions of this Bylaw.
  - g. "**Dog Control Appeal Committee**" means the Committee of Council established to hear appeals in relation to Section 14 of this Bylaw.
  - h. "**Dog Fanciers License**" means an additional license issued annually to an owner(s) permitting the keeping or harbouring, on land or premises occupied by the owner(s), up to three (3) licensed dogs over the age of three (3) months.
  - i. "**Parks**" includes picnic grounds, playgrounds, playfields or any other public open space or green space under the control or jurisdiction of the Town and whether or not

the custody, care, management and control of such areas and facilities have been delegated to another body or agency and regardless of whether all members of the public have a right to access thereto.

- j. **"Peace Officer"** means a member of the Royal Canadian Mounted Police, a municipal Police Officer, Police Constable, Bailiff, Constable or Dog Control Officer or a Bylaw Enforcement Officer or other person employed for the prevention of disorder and maintenance of the public peace.
- k. **"Owner"** means the person who has legal title to the dog, and/or includes any person who has possession and custody of the dog, or harbours the dog, or permits the dog to remain on his property.
- l. **"Register"** means with the Town of Coalhurst.
- m. **"Residency"** a dog housed within the boundaries of the Town of Coalhurst for thirty (30) consecutive days is deemed a resident dog and must be licensed.
- n. **"Running At Large"** means a dog off the premises of its owner that is not on a leash held by a competent person.
- o. **"School Grounds"** includes any public open space or green space under the control or jurisdiction of Palliser Regional Schools, or any other school jurisdiction, and whether or not the custody, care, management and control of such areas and facilities have been delegated to another body or agency and regardless of whether all members of the public have a right to access thereto.
- p. **"Sterilize"** means any female dog that has been spayed or any male dog that has been neutered.
- q. **"Tag"** means a device issued by the Town when a dog is registered with the Town.
- r. **"Town"** means the Town of Coalhurst.
- s. **"Vicious Dog"** means a dog of any age, which
  - i. *Shows a propensity, disposition or potential to attack or injure, without provocation, humans or other dogs, or*
  - ii. *Without provocation, chases humans or other dogs, or*
  - iii. *Is a continuing threat of serious harm to humans or other dogs, or*
  - iv. *Without provocation, has previously attacked humans or other dogs, or*
  - v. *Dogs that are attack trained*
- s. **"Violation Ticket"** means where a Peace Officer or other authorized official of the Town of Coalhurst believes that any person has committed a breach of any of the sections of this Bylaw, they may cause a violation ticket to be served upon such person pursuant to Part 2 of the Provincial Offences Procedure Act, Alberta.

### 3. FEES, CHARGES, FINES

- a. All fees, charges and fines authorized by this Bylaw will be set and amended, from time-to-time, by Town Council resolution, at a Regular Council Meeting, through the adoption and amendment of Policy in the Town of Coalhurst Policy Manual.

### 4. LICENSES

- a. **Annual License** (also see special provisions for "Aggressive" dogs.)
  - i. The maximum number of dogs allowed on property classified as residential under the Town of Coalhurst Land Use Bylaw shall be restricted to two (2)



- dogs over the age of three (3) months, except in the case where a dog owner has been approved for and is in possession of a Dog Fanciers License.
- ii. The owner of any dog three (3) months of age or more shall obtain and keep in force an annual license for the dog from the Town Office, which period is from the first day of January and ending on the last day of December of each calendar year.
  - iii. The owner of any dog, aged three (3) months or more shall obtain a license
    1. On or before the thirtieth (30) day, after he becomes the owner of the dog, or
    2. After the dog has attained the age of three (3) months, and
    3. Thereafter renew the license annually.
  - iv. Every owner shall provide his dog with a collar to which the owner shall affix the tag obtained for such dog and the owner shall ensure that the collar and tag are worn by his dog during those occasions when the dog is not on the owner's property.
  - v. In case a tag is lost or destroyed, a replacement tag may be purchased from the Town Office.
  - vi. Tags are not transferable from one dog to another and no refund shall be made on any dog license fee because of the death, loss or sale of the dog or upon the owner leaving the Town before the expiration of the license period.
  - vii. In any prosecution or proceeding for a contravention of this section, the burden of proof relating to the age of the dog, or the date of ownership, shall be upon the owner and unless the contrary is proven, the dog shall be presumed to have attained the age of three (3) months or been in possession of the owner for more than thirty (30) days at the time relevant to the charge.
  - viii. The full amount of the license fee shall be payable for any dog at three (3) months of age.
    1. The license fee for new residents acquiring a license within thirty (30) days of residency or an existing resident acquiring a dog where the license is purchased within thirty (30) days of ownership shall be pro-rated by the number of months left in the year.
    2. The owner will thereafter be required to renew the license annually and pay the full annual fee.
  - ix. A senior citizen, over the age of 65 years, may obtain one free license a year, per household.
    1. The cost of the second tag will be the same as for any individual under the age of 65 years.
    2. This section does not apply if the dog is a vicious or restricted dog.
  - x. A disabled person may be issued one free license a year for a registered assistance dog.
  - xi. A camper, having paid the applicable campground fee, is allowed to consider the camp stall as his temporary residence and can walk his dog within the boundaries of the campground, provided that the dog is on a leash and under the control of a responsible person and that any defecation is removed immediately.
    - The camper is exempt from Section 4(a)(i) through (x) and Section

8(ii) of this By-Law

b. **Aggressive Dog License** (For a definition of a Vicious Dog see Section 2 of this Bylaw.)

- i. For an aggressive dog, an owner shall:
  - 1. Obtain an aggressive dog license, immediately upon ownership and/or a determination of aggression, regardless of the age of the aggressive dog,
  - 2. Keep in force the aggressive dog license as long as the dog is in the Town.
  - 3. Keep all the provisions of Section 13(a), of this Bylaw.

c. **Breeder or Kennel License**

- i. Breeder or kennel operations are not allowed in the Town of Coalhurst and no license will be issued for these, or similar, purposes.

d. **Dog Fanciers License**

- i. Any person requesting a Dog Fanciers License shall submit an Application, found in Schedule "D" of this Bylaw, along with the application fee in accordance with Section 3. Fees, Charges, Fines of this Bylaw, to the Animal Control Officer which shall disclose;
  - 1. Location of property upon which the dogs will be housed;
  - 2. Purpose;
  - 3. Breed and sex of dogs;
  - 4. Consent of adjacent landowners
    - a. It is the sole responsibility of the person requesting a Dog Fanciers License to provide proof of consent from all adjacent landowners to the Animal Control Officer.
- ii. The Animal Control Officer shall not issue a Dog Fanciers License if, in his opinion, the site or conditions are unsuitable.
- iii. Any person who is refused a Dog Fanciers License may appeal the decision of the Animal Control Officer to the Dog Control Appeal Committee provided that such appeal is submitted in writing, with a cash deposit in the amount determined in the fee schedule in accordance with Section 3. Fees, Charges, Fines of this Bylaw, to the Town of Coalhurst, 100 – 51 Avenue, Coalhurst, Alberta, within fourteen (14) days of the Animal Control Officers decision.
- iv. Any approved Dog Fanciers License shall be issued upon payment of the fee for the Dog Fanciers License, as well as the immediate licensing of all dogs, in accordance with Section 3. Fees, Charges, Fines of this Bylaw.
- v. The Animal Control Officer has the right to remove the Dog Fanciers License upon written receipt of two or more bonafide complaints from two or more neighbours residing within sixty (60) meters of the residence of the licensee.
- vi. The Dog Fanciers License must be renewed on an annual basis, which period is from the first day of January and ending on the last day of December of each calendar year.

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**5. RECORDS**

- a. The Town Office will keep a record of the name, address and telephone number of the owner of the dog along with a description of the dog and the tag number assigned to the dog.
- b. To enable him to carry out his duties the Dog Control Officer will have access to the list and be provided with a copy of the list and updates.
- c. All personal information collected will be protected under provisions of the Freedom of Information and Protection of Privacy Act.

**6. SHELTER**

- a. The Town will provide a reasonable number of dog shelters as necessary for the enforcement of this Bylaw.

**7. DOG CONTROL OFFICER**

- a. The Dog Control Officer will:
  - i. Capture and impound or cause to be captured and impounded all dogs he deems pursuant to the provisions of this Bylaw, of any Statute of Canada, or the Province of Alberta.
  - ii. Supervise and direct the duties of any assistant, employee or agent employed, appointed or engaged to assist the Dog Control Officer in the performance of his duty as Dog Control Officer.
  - iii. Collect from the owner all fees and charges levied pursuant to the provision of this Bylaw as authorized by the Town and remit such fees and charges to the Town Office at such intervals as the administration may require.
  - iv. Dispose of dogs, not sold pursuant to Section 10, as provided in this Bylaw through euthanasia by needle to be performed by a licensed veterinarian.
  - v. If, within the Seventy-two (72) Hour holding period a dog is found to be in distress, he may take the animal to a veterinarian, who may order the dog destroyed if in the veterinarian's opinion, the animal cannot be relieved of its distress and live without undue suffering.
  - vi. Maintain adequate written record of:
    1. Any complaint made and the action taken as a result of the complaint.
    2. Any complaint made relative to a dog barking or howling excessively or unnecessarily or otherwise creating a disturbance, in a form attached as Schedule "A". A minimum of two (2) separate complaints shall be filed before a fine may be imposed.
    3. The daily operation of the shelter.
    4. Each dog impounded and the disposition made of such dog.
    5. Notices sent to owners.
    6. Telephone calls made, or attempted, to contact the owners.
  - vii. Have general supervision and control of the shelter.
    1. Subject to this Bylaw, have control of all dogs in the shelter.
    2. Maintain the shelter in a safe and sanitary condition.
    3. Provide the impounded dogs with adequate care and sufficient food and water.

N5

4. Report any dog with apparent illness, communicable disease, injury or unhealthy condition to a veterinary surgeon, if he deems that the condition of the dog warrants the examination or care of a veterinarian.
5. Immediately segregate from other animals and restrain any dog brought to the shelter if it has or appears to have rabies or any other communicable disease, and in the case of rabies report such condition to the Medical Officer of Health for the Health Region; to a veterinarian, or to the Veterinary Inspector of the Health of Animals Division of the local office of the Federal Department of Agriculture, or to any other official designated for that purpose.

#### **8. CAPTURING AND IMPOUNDING DOGS**

- a. The Dog Control Officer or a peace officer, may capture and impound any dog which is:
  - i. Off the premises of its owner, or when it is pursued onto the premises of its owner, whether it is licensed or not licensed.
  - ii. Not wearing a collar and tag while off the premises of its owner.
  - iii. Running at large (off the owner's property, is not on a leash and under the control of a competent person).
  - iv. Biting or attempting to bite any person while running at large.
  - v. Chasing worrying or annoying any other dog on property other than that belonging to the owner of the dog.
  - vi. A public nuisance.
  - vii. Found in a school ground.
  - viii. A female dog in heat and not confined, housed or kennelled in accordance with this Bylaw.
  - ix. An aggressive dog not being kept in accordance with this Bylaw or not meeting the conditions imposed by the Dog Control Appeal Committee.
  - x. Named or described or otherwise designated in a complaint made pursuant to the Dangerous Dog Act.

#### **9. IMPOUNDED DOGS**

- a. The Dog Control Officer may keep all impounded dogs for a period of not less than seventy-two (72) hours, including the day of impounding but not including Sundays or statutory holidays. During this time the owner of a healthy dog may redeem the animal upon payment in full of all fines, licenses and charges.
  - i. The Dog Control Officer will make a considerable attempt after a dog has been impounded to contact the owner(s) of a dog that was wearing a dog tag when it was seized by the Dog Control Officer. If the Dog Control Officer is unable to contact the owner(s) of the impounded dog with the information on the dog tag, or that was provided by the owner(s) at the time the dog was registered with the Town, the Dog Control Officer may post the form, attached as Schedule "B" of this Bylaw, on the front door of the address provided for the dog at the time of registration.

N6

- b. Where an impounded dog has not been claimed or redeemed from the shelter within the time set forth in Section 9(a), the Dog Control Officer shall be at liberty to dispose of the dog by way of euthanasia, adoption into animal rescue, or by way of sale to any interested person.
- c. Notwithstanding Section 9(b), the owner of the dog may not redeem such dog if the Dog Control Officer has reasonable grounds to believe and does believe that the dog is aggressive or vicious. Where the Dog Control Officer believes that any dog is aggressive or vicious, he shall hold the dog under Section 13.
- d. The Dog Control Officer may report any apparent illness, communicable disease, injury, or unhealthy condition of any dog to a veterinarian and act upon his recommendation. The owner of the dog shall be responsible for all resulting costs and charges.

#### 10. SALE OF DOGS

- a. Pursuant to Section 9 of this Bylaw, the Dog Control Officer may sell any dog for the purchase price established in the fee schedule, unless it has been determined to be aggressive or vicious.
- b. Any resident of Coalhurst desiring to purchase an unsterilized dog shall be required to leave a deposit, in addition to the purchase price.
  - i. The said deposit will be returned to the purchaser upon receipt, at the Town Office, of a certificate from a licensed veterinarian confirming sterilization of the dog, not more than six (6) months from the date of the sale. No deposit will be returned if the Town Office does not receive the required certificate, within six (6) months of the date of the sale of the dog to the purchaser.
  - ii. This requirement does not apply to the sale of a dog to a non-resident.
- c. No dog shall be sold by the Dog Control Officer:
  - i. To any resident of the Town until a license has been purchased for the dog.
  - ii. To any non-resident of the Town until they have provided by Affidavit that they are not a resident of the Town and that the dog shall be kept outside the Town boundaries.
- d. The purchaser of a dog shall obtain full right and title to the dog.
- e. Notwithstanding Section 9(a), the Dog Control Officer, at his sole discretion, has the right to refuse to sell a dog to any person that he believes and does believe that the person requesting the sale would be an unsuitable owner, for any reason.
- f. When the owner of a dog requests euthanasia and pays the prescribed fee, the Dog Control Officer shall do so and under no circumstances may the dog be sold. The owner shall put his request in writing, in a form attached as Schedule "C", stating he is the owner and that the Town is relieved of any liability for having carried out the request.

#### 11. ENTERING PREMISES

- a. In enforcement of this section, but not for the purpose of investigation only, the Dog Control Officer is hereby authorized to enter any privately or publicly owned property at any reasonable time, provided however, that in this section "property" does not include a building used as a dwelling.

N7

- i. The Dog Control Officer is hereby authorized to remove a dog from private or publicly owned property, if the officer deems a dog to be a public nuisance and the owner cannot be reached to correct the problem.
- ii. The Dog Control Officer is hereby authorized to remove a dog from private or publicly owned property, if the officer deems the dog
  - 1. To be in need of care and attention, and
  - 2. In a case of neglect or mistreatment, such will be reported to the nearest SPCA office.
- iii. The Dog Control Officer is hereby authorized to remove a dog from private or publicly owned property, to enforce Section 13.

## 12. INTERFERENCE

- a. Any person, whether or not they are the owner of a dog, is guilty of an offence if such person:
  - i. Interferes with or attempts to interfere with or obstructs any Dog Control Officer or Peace Officer who
    - 1. Is attempting to capture, or
    - 2. Has captured any dog contravening the provisions of this Bylaw, or
    - 3. Is otherwise attempting to enforce the provisions of this Bylaw.
  - ii. Induces any dog to enter a house or other place where it may be safe from capture, or otherwise assists the dog to escape capture.
  - iii. Falsely represents himself as being in charge or control of a dog so as to establish that the dog is not running at large as the term is defined in this Bylaw.
  - iv. Unlocks, unlatches or otherwise opens any pen or vehicle in which dogs captured for impoundment have been placed so as to allow or attempt to allow any dog to escape.
  - v. Removes or attempts to remove any dog from the possession of any Dog Control Officer or Peace Officer.

## 13. AGGRESSIVE AND VICIOUS DOGS

- a. **Aggressive Dogs**
  - i. The owner of a dog is responsible to determine whether or not his dog is aggressive and to take the precautions as required by the Bylaw.
  - ii. The owner of an aggressive dog shall take all necessary steps to ensure that the dog does not bite, chase or attack any human or other dog whether the person or dog is on the property of the owner or not.
  - iii. When on the premises of its owner, an aggressive dog shall be kept under control in a securely enclosed and locked enclosure, pen or other structure constructed and secured in such a fashion as to prevent the escape of the aggressive dog, and to prevent entry of person unauthorized by the owner.
  - iv. When off the premises of the owner, an aggressive dog shall be securely muzzled, and shall be either harnessed or leashed securely to effectively prevent it from attacking or biting a human or other dog.

- v. If an aggressive dog bites or attacks a person or other dog, the owner shall be guilty of an offence and liable to a fine under this Bylaw, exclusive of any civil action or penalty.
  - vi. If the Dog Control Officer or Peace Officer determines, on reasonable grounds, that a dog is aggressive, either through personal observation or on the basis of facts determined after an investigation initiated by a complaint, he may:
    - 1. Give the owner a written notice that the dog has been determined to be aggressive.
      - a. The notice to include instructions on how the determination can be appealed, and
    - 2. Order the owner to comply with provisions for aggressive dogs in this Section of the Bylaw.
  - vii. The owner of an aggressive dog may appeal the designation of "aggressive" by filing an appeal in accordance with the procedure for appeal as established in 13(b) of the Bylaw.
  - viii. The Dog Control Appeal Committee must hear the appeal providing the written objection and the fee are filed with the Town Office within the appeal period.
    - 1. The hearing must take place within 21 days of receiving the appeal and the appropriate deposit.
  - ix. When hearing an Appeal into a determination that a dog is aggressive, the Dog Control Appeal Committee:
    - 1. May uphold the decision of the Dog Control Officer or Peace Officer,
    - 2. May disagree with the decision of the Dog Control Officer or Peace Officer,
    - 3. May conduct its own investigation and set any condition(s) it feels is appropriate.
  - x. In addition to the remedies set forth in this Bylaw, if the Dog Control Officer or a Peace Officer, determines that an aggressive dog is not being kept in accordance with this Bylaw, or an order given by the Dog Control Appeal Committee, he may:
    - 1. Seize and impound the dog and take action as outlined in Section 13(b) of this Bylaw, or
    - 2. Make an application to the Court of Queen's Bench for an order directing that such dog be controlled in accordance with this Bylaw, or be removed from the Town, or
    - 3. Make an application to the Court of Queen's Bench pursuant to the Dangerous Dog Act for an order directing the dog be controlled or destroyed.
  - xi. Provisions in the Bylaw, which apply to aggressive dogs, shall not apply to a trained police dog owned, kept, maintained or harboured by a peace officer under the authority of a law enforcement agency.
- b. **Vicious Dog**

- i. If the Dog Control Officer or a Peace Officer determines on reasonable grounds that a dog is a vicious dog, either through personal observation or on the basis of facts determined after an investigation initiated by a complaint, he may:
  1. Give the owner a written notice that the dog has been determined to be a vicious dog and seize and impound the dog in accordance with this section of this Bylaw.
- ii. If the Dog Control Officer determines a dog is a vicious dog, under this section,
  1. A notice must be delivered to the owner of the dog, if the owner can be located
  2. Such notice must advise the owner that the dog has been determined to be vicious and that the dog will be destroyed unless a written objection is delivered to the Town Office in accordance with this Section of this Bylaw.
  3. The notice to the owner must be hand delivered to the residence of the owner within 24 hours of the dog being impounded.
- iii. The Dog Control Officer shall keep any impounded vicious dogs for a period of seventy-two (72) hours from the time of impounding.
  1. Sundays and Statutory Holidays shall not be included in computation of the seventy-two (72) hour period.
- iv. An owner of an impounded vicious dog may object to the determination that the dog is a vicious dog by delivering a written objection, with a cash deposit in the amount determined in the fee schedule to the Town of Coalhurst, 100-51 Avenue, Coalhurst, Alberta.
  1. If no objection is received by the Town Office within the seventy-two (72) hour impound period, the dog will be euthanized.
- v. The Dog Control Appeal Committee must hear the objection providing the written objection and the fee are filed with the Town Office within the appeal period.
  1. The hearing must take place within 21 days of receiving the appeal and the appropriate deposit.
- vi. The Dog Control Appeal Committee may determine:
  1. The dog is not vicious and order the return of the dog to the owner without attaching conditions and return the deposit, or
  2. The dog is vicious and order it destroyed subject to the owners filing an appeal at the Court of Queen's Bench. Such appeal must be filed within seven (7) days of the determination, not including weekends or Statutory Holidays.
    - a. If no appeal is filed within the timeline the dog will be destroyed forthwith.

#### **14. DOG CONTROL APPEAL COMMITTEE**

- a. The Town Council shall appoint three persons by resolution, on a case-by-case basis, to sit as members of the Dog Control Appeal Committee.

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- i. The Dog Control Appeal Committee will operate as a Committee of Council and is subject to Part 5 of the Municipal Government Act and applicable sections of the Town of Coalhurst Procedure Bylaw
  - ii. The make up of the Dog Control Appeal Committee may be elected officials or appointed members of the public at large and is solely the decision of the Town Council.
  - iii. The members of the Dog Control Appeal Committee shall select one of themselves as chairman.
  - iv. Each member of the Dog Control Appeal Committee shall have one vote.
  - v. Two members of the Dog Control Appeal Committee shall constitute a quorum.
  - vi. A decision of the majority of members at the appeal hearing shall be deemed to be the decision of the whole Dog Control Appeal Committee.
  - vii. Each member of the Dog Control Appeal Committee shall be entitled to such remuneration as may be fixed from time to time by Council.
- b. The Town Council may, by resolution, appoint a recording secretary who shall be an employee of the municipality and shall attend all meetings of the Dog Control Appeal Committee, but shall not vote on any matter before the Dog Control Appeal Committee.
  - i. The recording secretary shall keep the following records:
    - 1. The written objection;
    - 2. The minutes of the hearing;
    - 3. Records of all notices of hearing and of the persons to whom they were sent;
    - 4. Copies of all written representations;
    - 5. Notes as to each representation;
    - 6. The names and addresses of those making representations at the hearing;
    - 7. The decision of the Appeal Committee;
    - 8. The reasons for the decision of the Appeal Committee;
    - 9. The vote of the members of the Appeal Committee on the decision;
    - 10. Records of all notices of decision and of person to whom they were sent;
    - 11. Such other matters as the Appeal Committee may direct.

#### **15. DISEASED AND RABID DOGS**

- a. The owner of a dog suffering from any communicable disease shall not permit the dog to be in any public place and shall not keep the dog in contact with or in proximity of any other dog free of such disease.
- b. Any person who owns or who harbours, maintains or keeps a dog, which he knows or has reason to know is or may be suffering from rabies, or which he knows or believes has been exposed to rabies:
  - i. Shall endeavour to keep the dog locked or tied up;
  - ii. Shall not permit another animal to come in contact with the dog;
  - iii. Shall immediately report the matter to the Medical Officer of Health for the Health Region; to a veterinarian, or to the Veterinary Inspector of the Health

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of Animals Division of the local office of the Federal Department of Agriculture, or to any other official designated for that purpose.

- iv. Shall report the matter to the Town Office and the Dog Control Officer.

#### 16. ANIMALS IN DISTRESS

- a. Pursuant to Section 3 of the Animal Protection Act, if an animal is in distress and
  - i. The owner or person in charge of the animal does not forthwith take steps that will relieve its distress,
    - 1. a Dog Control Officer or a Peace Officer is of the opinion, on reasonable and probable grounds, that the owner or person in charge of the animal is not likely to ensure that the animal's distress is relieved or to ensure that the animal's distress is relieved or to ensure that the animal's distress will continue to be relieved, or
    - 2. the owner or person in charge of the animal cannot be found immediately and informed of the animal's distress,a Dog Control Officer or a Peace Officer may, in accordance with Section 4 of the Animal Protection Act, take any action the Dog Control Officer or the Peace Officer considers necessary to locate the animal and relieve its distress, including taking custody of the animal in accordance with the regulations and arranging for transportation, food, water, care, shelter and veterinary treatment for the animal, if necessary.
  - ii. A Dog Control Officer or a Peace Officer who takes custody of an animal pursuant to subsection 16.(a).(1) shall deliver the animal
    - 1. to a humane society, or
    - 2. to a caretaker, if there is no humane society close to the location where the animal is found or if the humane society does not have an appropriate facility in which to keep the animal.
  - iii. If an animal is found to be in such distress that, in the opinion of
    - 1. a registered veterinarian, or
    - 2. if a registered veterinarian is not available, a Dog Control Officer or a Peace Officer,the animal cannot be relieved of its distress and live without undue suffering, the Dog Control Officer or a Peace Officer may destroy the animal or cause the animal to be destroyed and the owner of the animal is liable for the costs of destroying it.

#### 17. OFFENCES

- a. The owner of a dog is guilty of an offence if:
  - i. He owns or harbours more than two (2) dogs on any property in the Town of Coalhurst Land Use Bylaw, except in the case where a dog owner has been approved for and is in possession of a Dog Fanciers License.
  - ii. He fails to register such a dog or obtain a license for such dog, within the time lines required in this Bylaw.
  - iii. He fails to ensure the registered dog is wearing a collar and tag while off the premises of the owner.

- iv. A female dog in heat is not confined and housed in the residence of the owner or in a licensed kennel during the whole of the heat period except for the sole purpose of defecating on the premises of the owner.
- v. The dog defecates on public or private property, other than the property of the owner, if the owner does not remove the defecation immediately. This provision shall not apply to a registered assistance dog while it is assisting a disabled person.
- vi. The dog is allowed or permitted to:
  - 1. Be in the David A. Veres Social Area during a public function
  - 2. Be in a school ground.
  - 3. Damage public or private property.
  - 4. Bark or howl excessively or unnecessarily or otherwise creates a disturbance.
  - 5. Runs at large (off the owner's property while not on a leash and not under the control of a responsible person).
  - 6. Molest or chase any person, dog, bicycle or motor vehicle.
  - 7. Attack or bite a person or dog.
  - 8. Upset waste receptacles thereby scattering the contents on premises not belonging to the owner.
  - 9. Be a public nuisance
- vii. He fails to keep a vicious or restricted dog in accordance with this Bylaw.
- viii. He fails to meet the conditions imposed by the Dog Control Appeal Committee.
- ix. He contravenes provisions in Section 15 - Diseased and Rabid Dogs, of this Bylaw.
- b. Any owner, or person, is guilty of an offence if he:
  - i. Operates a breeding operation or kennel.
  - ii. Contravenes provisions of Section 12 – Interference, of this Bylaw.
  - iii. Keeps and/or trains a dog for the purpose of dog fighting; or stages, organizes, arranges, holds, or takes part in a dogfight.

## 18. PENALTIES

- a. Any license issued may be suspended or revoked by the Dog Control Officer or the Dog Control Appeal Committee if the provisions of this Bylaw or any other relevant Bylaw or statute are not be complied with by the license holder.
- b. Where a Peace Officer believes that any person has committed a breach of any of the Sections of this Bylaw, they may cause a violation ticket to be served upon such person pursuant to Part 2 of the Provincial Offences Procedure Act, Alberta.
- c. Any person or owner who commits a breach of any of the provisions of this Bylaw shall be liable, upon summary conviction by any Court of competent jurisdiction to a fine not less than the fine imposed in the Fee Schedule and not exceeding Two Thousand Five Hundred (\$2,500) Dollars and in default of payment to imprisonment for a period not exceeding Six (6) Months

## 19. INTENTION OF COUNCIL

It is the intention of Town Council that:

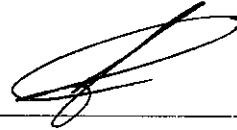


- a. Each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further that,
- b. If any provision of this Bylaw is declared invalid, all other provisions thereof shall remain valid and enforceable.
- c. Any reference to the masculine (he), shall also refer to the feminine (she).
- d. Bylaw #366-13 is hereby rescinded.
- e. This Bylaw comes into force and effect upon the date of the passing of the third and final reading.


READ A FIRST TIME THIS 27<sup>TH</sup> DAY OF OCTOBER, A.D. 2015

READ A SECOND TIME THIS 27<sup>TH</sup> DAY OF OCTOBER, A.D. 2015

READ A THIRD TIME AND FINALLY PASSED THIS 27<sup>TH</sup> DAY OF OCTOBER, A.D. 2015



Mayor



Chief Administrative Officer

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