

# Big Lakes County Bylaw

## Bylaw No. 06-2023

Being a Bylaw of Big Lakes County, in the Province of Alberta, to prevent the establishment of new wild boar and the movement of existing confined wild boar, within Big Lakes County.

**Whereas** Part 2, Division 1, Section 7(h) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M26.1, empowers Council to pass bylaws for all things with respect to the regulation of any wild and domestic animals and activities in relation to them;

**Whereas** Section 8 of the Municipal Government Act permits Council to regulate or prohibit particular activities, industries, businesses, or other things, and to provide for a system of licences, permits and approvals;

**Whereas** Section 542 of the Municipal Government Act allows a designated officer of a municipality to enter land, buildings, and structures in order to carry out an inspection, enforcement, or action authorized or required by a bylaw;

**Whereas** the Council of Big Lakes County has deemed it necessary that a Bylaw be passed for the regulating of specific wild and/or domestic animals (*Sus scrofa*).

**Therefore**, the Council of Big Lakes County, in the Province of Alberta, duly assembled, hereby enacts as follows:

### 1. Title

This Bylaw will be cited as the "Wild Boar Bylaw"

### 2. Definitions

2.1. "Act" shall mean the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26.1, as amended or repealed and replaced from time to time.

2.2. "Bylaw Enforcement Officer" shall mean;

- a) a member of the Royal Canadian Mounted Police, while the member is in the exercise or discharge of the member's powers or duties;
- b) a member of a municipal police service, while the member is in the exercise or discharge of the member's powers or duties;
- c) a Peace Officer appointed under the Peace Officer Act, while the Peace Officer is in the exercise or discharge of the Peace Officer's powers or duties;
- d) a Bylaw Enforcement Officer appointed by the council under the authority of the Municipal Government Act, R.S.A. 2000, c. M-26 and amendments thereto; or
- e) a Designated Officer.

2.3. "Council" shall mean the Council of Big Lakes County

2.4. "County" shall mean Big Lakes County.



- 2.5. "Court" shall mean the Provincial Court of Alberta.
- 2.6. "Designated Officer" shall mean a Designated Officer as defined in the Municipal Government Act
- 2.7. "Lands" shall mean land, buildings, premises, excavations, stockpiles, structures, and appurtenances, or any personal property located thereupon, within the municipal boundaries of the County.
- 2.8. "Occupy" or "Occupier" shall mean residing on or to be in apparent possession or control of property.
- 2.9. "Order" shall mean an Order issued by a Bylaw Enforcement Officer or a Designated Officer under Section 545 of the Act, as applicable.
- 2.10. "Owner" shall mean:
- a) In the case of land, any person who is registered under the Land Titles Act as the owner of the land, or is listed on the County's assessment role as such; or
  - b) In the case of property other than land, any person who is in lawful possession or control of the property.
- 2.11. "Person" shall mean:
- a) An individual, and the heirs, executors, administrators, or other legal representatives of an individual; or
  - b) Any business entity including a firm, partnership, association, corporation, company, or society.
- 2.12. "Premises" shall mean the external surfaces of all buildings, and the whole or part of any land, including land immediately adjacent to any building or buildings, situated in whole or in part within the County and including any land or buildings owned or leased by the County.
- 2.13. "Wild boar" shall mean animals of the species *Sus scrofa* or any hybridization of *Sus scrofa* and *Sus scrofa domesticus* that physically resembles *Sus scrofa* (not to be confused with domestic pigs kept as livestock, *Sus scrofa domesticus*).

### 3. General Prohibition

- 3.1. No person shall keep, either on a temporary or permanent basis any wild boar on any properties or premises within Big Lakes County nor cause them to run at large in the County.
- 3.2. The exception to Section 3.1 is any parcel of land where wild boar are being kept prior to the coming into effect of this bylaw. Owners or operators on such parcels of land may apply for a wild boar permit.
- 3.3. Any prohibited Wild Boars located within the County must be euthanized or removed from the County within seven (7) days of receiving an order from a Bylaw Enforcement Officer or Designated Officer, the cost of removal will be at the sole responsibility of the Owner.



## 4. Wild Boar Permit

- 4.1. A person shall not keep wild boar without a permit.
- 4.2. Subject to section 4.4, the Chief Administrative Officer may issue a wild boar permit.
- 4.3. The purpose of a wild boar permit is to allow persons to continue to keep wild boar on parcels where wild boar are being kept prior to the coming into effect of this bylaw.
- 4.4. The Chief Administrative Officer shall not issue a wild boar permit unless the following conditions are met:
  - a) the applicant owns or has an interest in a parcel of land where wild boar are being kept at the time this bylaw comes into effect; and
  - b) wild boar are continuously kept on that parcel from the coming into effect of this bylaw.
- 4.5. For clarity, if wild boar cease to be kept on a parcel of land where wild boar are being kept at the time this bylaw comes into effect, for a period of six consecutive months or more, the Chief Administrative Officer will no longer issue a wild boar permit with respect to that parcel.
- 4.6. A wild boar permit includes the following conditions, the permit-holder shall:
  - a) only keep wild boar on the parcel of land where wild boar is being kept at the time this bylaw comes into effect and shall not keep them on any other parcel;
  - b) if the permit-holder continues to keep wild boar, annually notify the Chief Administrative Officer that the permit-holder continues to keep wild boar;
  - c) notify the Chief Administrative Officer as soon as practicable if the person ceases to keep wild boar;
  - d) notify the Chief Administrative Officer if the person intends to gift, sell, lease, rent or otherwise dispose of an interest in the parcel of land where the wild boar are being kept prior to disposing of the interest;
  - e) immediately notify the Chief Administrative Officer if wild boar escape the parcel;
  - f) maintain adherence to Government of Alberta Minimum Containment Standards; and,
  - g) ensure that the integrity of fencing required in Government of Alberta Minimum Containment Standards is not only maintained in a timely manner (within a day of any breaches) against internal damage from wild boar, but from wildlife damage which would allow escape of wild boar (e.g., elk or moose damage to fencing).
- 4.7. Failure to maintain the conditions of wild boar permit on a parcel shall result in revoking of the wild boar permit related to that parcel.
- 4.8. If wild boar cease to be kept on a parcel for a period of six consecutive months or more, the Chief Administrative Officer shall revoke any wild boar permit relating to that parcel.
- 4.9. An application for a wild boar permit must include the following:
  - a) the name of the person seeking the permit;

- b) the nature of the person's interest in the parcel of land where wild boar are being kept;
- c) the location of the parcel of land where wild boar is being kept;
- d) confirmation that wild boar is being kept at, and has continuously been kept from, the time this bylaw comes into effect;

4.10. Notifications to the Chief Administrative Officer under this part must be in the form approved by the Chief Administrative Officer.

## 5. Summary Conviction

- 5.1. A Person who contravenes a provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a penalty as outlined in Schedule "A".

## 6. Severability

- 6.1. Should any provision of this Bylaw be declared invalid by a Court of competent jurisdiction, then such provision shall be severed, and the remaining portion of the Bylaw shall be maintained.

## 7. Effective Date

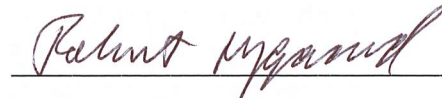
This bylaw comes into effect after third reading and upon signing.

Read a first time this 12<sup>th</sup> day of April 2023

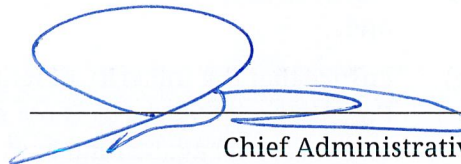
Read a second time this 12<sup>th</sup> day of April 2023

Passed unanimously to proceed to third reading this 12<sup>th</sup> day of April 2023

Read a third time this 12<sup>th</sup> day of April 2023



Reeve



Chief Administrative Officer



**Schedule “A”  
Specified Penalties**

<b>Description</b>	<b>Specified Penalty</b>
3.1. No person shall keep, either on a temporary or permanent basis any wild boar on any properties or premises within Big Lakes County nor cause them to run at large in the County.	\$10,000.00
3.2 The exception to Section 3.1 is any parcel of land where wild boar is being kept prior to the coming into effect of this bylaw. Owners or operators on such parcels of land may apply for a wild boar permit.	