

Regal Park Condominium Corporation 9912318

Animal Control Policy and Procedures

1 Introduction

All condominiums in Alberta must operate under the provisions of the *Alberta Condominium Property Act, RSA-2000 Chapter C-22* (the Act).

Under Section 32(2) of the Act, condominium owners in Alberta are bound by all of their condominium's properly enacted Bylaws.

Regal Park Bylaw 62(b)(iii) restricts owners and residents from keeping or allowing any animal other than birds and fish without prior written approval from the Board. This bylaw further states that this board approval can be arbitrarily denied or revoked with 7 days notice. Other bylaws prohibit owners from allowing pets to do damage to the common property of the corporation, such as lawns and posts.

The provisions below restate the legal obligations with respect to pets and lay out the administrative procedures to be followed by owners, residents, and the Condominium Board when seeking, granting and revoking approval for the keeping of animals in Regal Park, and for dealing with animal-related complaints and Bylaw infractions.

2 Provisions

- 2.1 The Board will keep a registry of all pets (other than birds or fish) kept by residents of Regal Park, and will make use of this registry when processing animal-related complaints.
- 2.2 Any resident who does not keep pets and who wishes to make this fact known to the board may submit a Pet Status Change Form to the Board, who will update the Pet Registry. This form appears at the end of this document.
- 2.3 All residents wishing to keep one or more animals in their unit shall submit a completed Pet Approval Request describing the animal(s) to the Board. The form for making this request appears at the end of this document.
- 2.4 Any resident whose pet status has changed must, within 30 days of the change, submit a Pet Status Change Form to the Board, who will update the Pet Registry. The form for this notice appears at the end of this document.

- 2.5 The Board will consider Pet Approval Requests within 30 days of receipt, and will, under usual circumstances, approve up to two pets per residence. Requests to keep high-risk species or breeds (e.g. a rattle snake or pit-bull) may be denied. Approval for additional pets may be granted by the Board, but may be subject to additional conditions (e.g. pets must be kept indoors) or monitoring.
- 2.6 Any approval granted by the Board is specific to the individual animal(s) described in the application and is not transferable.
- 2.7 Animals are not allowed to be tied to anything outside, such as deck pillars, and must not be left unattended outside.
- 2.8 Any stake placed in the ground to tether an animal must not be allowed to damage nor interfere with normal uses of the area and must not be left in the ground when not in use.
- 2.9 Pets should be discouraged from defecating or urinating on common property, especially where the urine may burn the grass as this constitutes damage to the common property. Animal owners are encouraged instead to use alternative such as newspapers or a litter box, or to walk their pets on municipal area. Should an animal defecate on common property, the feces must be removed promptly by the animal's owner or attendant.
- 2.10 The Board may at any time, and particularly upon unsatisfactory resolution of a complaint, revoke the approval for any animal or pet and require its removal from Regal Park within seven days.

3 Summary of Governing Legislation

3.1 Alberta Condominium Act RSA-2000, Chapter C-22, Appendix 1

The *Act* is the provincial legislation governing condominiums in Alberta.

Appendix 1 of the act provides template Bylaws, of which Section 36(2)(e) reads:

[An owner shall not] keep an animal in or on the owner's unit or on the real property of the corporation or the common property after a date specified in a notice given to the owner by the board;

3.2 Regal Park Bylaw 62(b)(iii)

This is our current corporate Bylaw relating to pet approvals, and states in part that:

- residents must have written approval from the board for pets
- all Municipal bylaws in effect in the City of Calgary with regards to animals are in effect within the common property of Regal Park, and that
- Municipal Officers can enforce City Bylaws on the common Property

3.3 Regal Park Bylaw 62(b)(xiii)

This Bylaw states in part that residents must not damage the common property or interfere with maintenance of common property. Pet owners must therefore not allow their pets to damage plants and lawns, and must not place stakes or tethers for their pet in a manner that damages or interferes with the common property.

3.4 City of Calgary Cat Control Bylaw 22M90 and Animal Control Bylaw 23M89

These are the municipal bylaws which contain measures requiring that:

- both dogs and cats be leashed and under control at all times when outdoors
- owners promptly clean up their pets feces (23M89 Section 4(e))
- dogs be properly license with the City
- dogs not be allowed to bark excessively

4 Procedures in the Event of Non-Compliance

The following procedures will apply should an animal-related bylaw infraction occur.

4.1 First Notification to Resident

When a Bylaw infraction is identified to the Board, the Board shall make initial contact with the offending resident either by phone or in person and discuss the complaint. If a satisfactory resolution cannot be agreed on, then the resident will receive a letter from the Property Manager on behalf of the Board stating the nature of the complaint and/or bylaw infraction, and asking that the problem be corrected within 10 days of the initial contact.

In both cases, a written report shall be made both to the Board and to the resident. If the resident is a renter, this report will also be sent to the owner of the unit.

4.2 Second Notification to Resident

Should the infraction not be corrected either as agreed or within 10 days of First Notification, the resident will receive a second letter from the Property Manager on behalf of the Board of Directors stating the infraction and the context, and ordering the correction of the situation within 10 days.

4.3 Final Notification to Resident

Should the infraction not be corrected within 10 days of Second Notification, the Board may have the situation corrected at the expense of the resident as allowed for under Regal Park Bylaw 43(a).

4.4 Repeat Offenses

Should three non-compliance events relating to animal control bylaw infraction(s) occur by a resident, the Board may, at their discretion and in accordance with Regal Park Bylaw 62(b)(iii), issue notice to the owner that any approval previously granted to the resident to keep an animal in their unit has been revoked and require that the owner remove the animal from the unit by a specified date. The Board may also pursue monetary sanctions in accordance with Section 35 of the *Act*.

5 Pet Approval Request Form

I, _____, as a resident of Civic Unit Number _____ in Regal Park Condominiums in the city of Calgary, Alberta, have read, fully understand and agree to abide by the Regal Park Condominium Animal Control Policy, the Calgary Cat Control Bylaw Number 22M90 and Animal Control Bylaw Number 23M89, and the Regal Park Condominium Corporation Bylaws and request Regal Park Condominium Board approval to keep the following animal(s) in my unit as pets:

	Pet Details	Pet Details
Species of Pet (eg: dog, cat, lizard, etc.)		
Name of Pet		
Pet Breed		
Year of Birth		
Gender		
Dog License Number (if applicable)		
Physical Description (weight, colouring, etc. or supply a picture)		

With this application approved, I will have approval for a total of _____ animals living in my residence.

Signature of Resident: _____

Date: YYYY / MM / DD

 Approved By Board: **(per)** _____

Date: YYYY / MM / DD

5.2 Pet Status Change Notice

I, _____, as a resident of Civic Unit Number _____ in Regal Park hereby notify the Regal Park Condominium Corporation that I have reduced the number of animals kept as pets in my residence. I now keep _____ animals as pets, all of whom have been previously approved by the Board to be kept as pets in my residence. These remaining animals are:

Species of Pet (dog, cat, lizard, etc.)	Name of Pet
1	
2	
3	
4	

Signature of Resident: _____

Date: YYYY / MM / DD

Processed By Board: **(per)** _____

Date: YYYY / MM / DD