



10511 – 103 Street
High Level, AB
T0H 1Z0
Ph: 780-926-2201
Fax: 780-926-2899

Barking Dog

Complaint Form

Dear High Level Resident:

Enclosed in this Barking Dog Complaint Packet is information that will advise you how to handle a habitually barking dog that is causing a nuisance in your neighborhood.

It is often difficult for the Peace Officers to effectively address your barking dog complaint because they are rarely able to witness the nuisance, without your cooperation and involvement it may not be possible to resolve this issue. Please review the packet carefully as all requirements must be met in order to forward a completed packet to the Town of High Level Municipal Enforcement Department for consideration of prosecution under the Town Bylaw.

Completed packets may be submitted to the Town of High Level front counter, Monday through Friday, 8:30 am to 4:30 pm. Packets will be reviewed by a Community Peace Officer. If the packet is not complete or unsigned, it will be returned to the resident with an explanation of requirements that were not met. With the information provided, the Town of High Level will then determine if prosecution under the Town Bylaw will take place. Should you have any questions, please contact the Municipal Enforcement office at 780-926-2201. It is our sincere hope that, by working together, we can make every neighborhood in the Town of High Level peaceful and enjoyable for all community members.

Sincerely,

Municipal Enforcement Department



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Barking Dog Complaint Process

Barking dogs are a serious nuisance and effect many people in a single neighborhood. Unfortunately in most circumstances, by the time an officer arrives to a complaint, the dog is no longer barking and the officer is left with limited ability to effectively deal with the issue.

This program has been established to assist High Level residents with their efforts towards resolving the problems associated with habitually barking dogs. This program is designed to encourage residents to reach a reasonable resolution with their neighbors through direct communication or mediation with the offending dog owner before pursuing legal action. If repeated attempts through private dispute resolution fail and legal action is required, the enclosed material provides the required information necessary for the Town of High Level to effectively prosecute the accused.

Habitual dog barking is prohibited by the Town of High Level *Animal Control Bylaw #984-18* which states that no dog owner shall allow their dog to bark, howl or otherwise disturb any person. The Town of High Level Municipal Enforcement will investigate complaints that include eight (8) incidents of barking that occur in a one-month period.

In order to prove a charge of habitual barking, specific factual information is required and strong evidence is necessary. The Town of High Level requires complaining neighbors to maintain a log of the dates and times in which an identified dog, at a specific location, is disturbing the peace of the neighborhood. Additional supporting evidence could include a date-stamped audio-recording of the offending dog from the location of the complainant's property as it is habitually barking.

A complaint of habitual barking is stronger if it is supported by more than one neighbor. Therefore, the Municipal Enforcement Department has determined that at least one other neighbor must verify that the dog's barking was habitual and caused a nuisance on at least five incidents. Witness verification must be provided in the form by each witness specifically stating the dates and times of each incident of habitual barking. A declaration and an incident log are included in this informational packet. If you have questions about the declaration and/or logging procedure you may contact the Town of High Municipal Enforcement Department.

When preparing a complaint of habitual barking be sure to note on the Barking Dog Incident Log:

1. The date and time the barking started, and when the barking stopped.
2. The specific address of the dog and your address. Please remember that the barking must be audible from within your home, and barking must be continuously audible for at least five minutes.
3. Evidence, if available, based on personal observation, that the dog was not provoked into barking.
4. The eight (8) incidents of habitual barking must take place over a one-month period of time.

You must comply with the requirements that:

- Private mediation or arbitration has been attempted, refused, and failed.
- Prior to submitting your package for review, you and at least one neighbor have signed the declaration that your neighbor observed five (5) incidents and you have complied with the above requirements.

Once a completed package is submitted to the Town of High Level, the package will be reviewed for completeness. Packages that are incomplete or unsigned will result in no action being taken by the Municipal Enforcement Department. Provided the complaint package is complete, the Municipal Enforcement Department will send a formal warning letter advising the dog owner that the problem has resulted in a nuisance and that unless the problem is remedied within five (5) business days, the matter may result in a fine being issued. It shall be the sole discretion of the Municipal Enforcement Department to prosecute a claim, and the officer investigating will send the complainant a letter advising whether the



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complaint will be prosecuted or whether other action will be taken to resolve the problem. Unless the charge results in a guilty plea, the case will be set for trial. Most cases are set for trial several months from the time the case is filed with the Provincial Court. If a case is set for trial, all witnesses, including the complaining neighbors will be subpoenaed to testify at trial. Attendance at the trial is mandatory for complaining neighbors and witnesses.

If the matter proceeds to trial, a Provincial Court Judge will hear the evidence. Upon review of the evidence and the Judge will then decide if the evidence supports a finding of guilt. If found guilty, the accused faces a fine of up to \$1000. While the Town of High Level may make a recommendation regarding sentencing, the judge at the trial has the sole discretion to determine the actual sentence.

Complainants should make copies of the submitted information prior to delivering the packets to the Town of High Level.

Please Remember:

Enforcement of the laws against barking dogs is possible only with the cooperation and assistance of the residents of High Level themselves. The Municipal Enforcement Department cannot solve barking dog problems without your participation. Please take the time to fully document each offense and obtain proper evidence so that the law can be enforced.

Barking Log

Description of Dog	
Additional description of dog	Mailing Address
Name (if known): Breed(s): Colour(s): Size:	Address: City/Town: Province: Postal Code:



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One Entry per day that the dog barked continuously for a period of 5 minutes or more.

#	Date	Start Time Exact Hr/min	End Time Exact Hr/min	Were the owner's home?	Dogs Location	Your Location	Description of Event	Name/address of neighbour verifying barking
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								



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Item	Yes/No	Brief Explanation	Date Completed
Did you personally speak to the offending dog owner?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Where any remedies suggested or attempted by either you or the dog owner?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Have eight incidents of barking taken place on separate days, for at least five minutes within a one month period?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Have at least five incidents of barking been witnessed by another neighbor? (please list incident witnessed on the barking log)	<input type="checkbox"/> Yes <input type="checkbox"/> No		

Declaration

By signing this document I am declaring that all information provided is true and correct to the best of my knowledge. I also understand that providing false information to a Peace Officer is a criminal offence and by doing so may result in a criminal investigation.

Signature of Complainant	Print Name	Date
Signature of Witnessing Neighbour	Print Name	Date

Personal information on this form is collected in accordance with Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act and will be solely used for the stated purpose. If you have any questions about the collection, use, or disclosure of this information, please contact the Municipal Clerk at 780-821-4008.