

DISTRICT OF VANDERHOOF

BYLAW NO. 812, 1996

A bylaw of the District of Vanderhoof to license dogs and regulate animals within the Municipality.

The Municipal Council of the District of Vanderhoof in open meeting assembled, enacts as follows:

1. **Citation:**

This bylaw may be cited for all purposes as the “District of Vanderhoof Animal Control Bylaw No. 812, 1996.

2. **Definitions:**

Animal includes a dog and cattle

Animal Trap means any apparatus approved by Council for the entrapment of animals

At large means being elsewhere than on the lands or premises of the owner and not being under the immediate charge and control of a responsible person.

Cattle includes horses, swine, goats, sheep, mules or other animals of the bovine species.

Council means the Municipal Council of the District of Vanderhoof

District means the District of Vanderhoof

Dog means an animal of the species canine that is apparently over the age of four months

Guide dog means a dog trained by the Canadian National Institute for the Blind or a dog trained by the Western Canada Handi and Hearing Ear Dog Society.

Enclosure means a fence or structure of at least six (6) feet in height forming or causing an enclosure suitable to prevent the entry of young children and suitable to confine a vicious dog.

- Impounded** means seized, delivered, received or taken into the pound or in the custody of the poundkeeper.
- Kennel** means any building or structure for the accommodation of three (3) or more dogs together with any fenced animal runs.
- Kennel license** means a license issued to any person who keeps, harbors, treats or lodges three (3) or more dogs at a kennel facility.
- Keeps** means possesses, harbors, brings upon for a period in excess of 24 hours or feeds on a regular basis on a parcel of land.
- Leash** means a chain or other material of sufficient strength that does not exceed six (6) feet in length that is suitable for control of a dog.
- License** means a license that has been issued and paid, for the current licensing year.
- License tag** means a metal license tag issued for the current licensing year.
- Licensed dog** means a dog that is wearing either on its collar or harness, a license tag.
- Licensing year** means that time period between January 1, to December 31, in any year.
- Owner** means any person who possesses or harbors or keeps an animal.
- Pound** means the Municipal pound established by Council or any vehicle used by the poundkeeper or any other premises used to harbour and maintain animals pursuant to this bylaw.
- Poundkeeper** means the poundkeeper, including assistants as employed or appointed by Council and the Animal Control Officer.
- Property owner** means the person owning or occupying any property within the District of Vanderhoof.
- Unlicensed dog** means a dog which does not have affixed to a collar securely fastened about the dog's neck, or to a harness securely fastened about the dog, a license tag issued under this bylaw or a similar bylaw of any other municipality or the Livestock Protection Act R.S.B.C. 1979, C.245.

Vicious dog means any dog which has attacked or bitten any person or animal without provocation, but does not include a dog utilized by the “Police Service Dog Section” of the Royal Canadian Mounted Police.

Zoning Bylaw means the “District of Vanderhoof Zoning Bylaw No. 658, 1991”.

3. **Pound/Poundkeeper**

- (1) The Council does hereby authorize:
 - (a) the establishment, maintenance and operation of a pound.
 - (b) the appointment of a poundkeeper.
 - (c) an agreement with such persons, firms, societies or corporations for the purpose of maintaining and operating its pound and for the collection, distribution, and payment of revenue and expenditures derived from the operation of the pound.
- (2) The poundkeeper may impound and detain an animal delivered to the pound and shall furnish them with sufficient food, water and shelter.

PART 1 - DOGS

4. **Control**

- (1) The owner of a dog shall not permit or allow their dog:
 - (a) to be at large.
 - (b) to harass or molest a person or an animal.
- (2) The owner of a vicious dog shall not permit or allow their vicious dog:
 - (a) to be at large.
 - (b) to be in a public place or in any other place that is not owned by that owner, unless the dog is muzzled and under the charge and control by leash of a responsible person.
- (3) The owner of a vicious dog shall at all times, while the dog is in the premises owned or controlled by that owner, keep the dog securely confined either indoors or in an enclosed pen or enclosure.

- (4) The poundkeeper may, make application to the Provincial Court to have a vicious dog euthanized pursuant to the Livestock Protection Act.
- (5) It is an offence for any dog owner to fail to immediately remove and dispose in a waste container or by other sanitary means, any fecal matter deposited by such dog in any place off the owner's property.

5. **Licensing**

- (1) No person shall own, keep, or harbour a dog over the age of four (4) months in the Municipality, unless he has obtained a current valid license for the dog.
- (2) Where two or more dogs are kept on the same premises, they shall, for the purposes of this bylaw, be deemed to be owned by the same person.
- (3) The license fees under this bylaw shall be those listed in the attached Schedule "A".
- (4) The owner of a dog or kennel shall make application for a dog or kennel license on or before the first day of January in each calendar year.
- (5) The number on the dog license application form shall correspond to the stamped number on the license tag.
- (6)
 - (a) A person holding a license and license tag for a dog under the Livestock Protection Act or a bylaw of any other municipality shall not be liable to any license fee under this bylaw in respect of the same dog for the unexpired portion of the period for which the license for such dog shall have been issued.
 - (b) This provision shall not apply to any person who has obtained such license elsewhere than from the District of Vanderhoof while residing within the District of Vanderhoof.
- (7) A license issued under this bylaw is not transferable from one dog to another.
- (8) The owner of a dog may, upon producing proof of purchase and upon payment of a fee set out in Schedule "A", obtain a replacement license tag.

6. **Kennels**

- (1) The kennel license fee under this bylaw shall be those listed in the attached Schedule "A".
- (2) A kennel license is not a substitute for a business license.
- (3) No person shall establish a new kennel except in accordance with the permitted uses established by the District of Vanderhoof Zoning Bylaw and its amendments.
- (4) No person shall lodge, keep or board three or more dogs at any one time on any premises in the Municipality unless he has obtained a kennel license under the provisions of this bylaw.
- (5) All kennels operated in the Municipality shall maintain dogs in a clean, secure and humane manner.

7. **Impounding**

- (1) The impoundment fees and maintenance fees for dogs, shall be those listed in the attached Schedule "B".
- (2) The poundkeeper may use animal traps to effect seizure of any dog subject to the following:
 - (a) the animal trap may be used by the poundkeeper
 - (b) the animal trap may be left with a property owner requesting the service, subject to the discretion of the poundkeeper.
 - (c) the property owner must sign and comply with an agreement for the use of such animal trap as detailed in the attached Schedule "E".
- (3) The poundkeeper may seize and impound any dog which is found to be at large within the Municipality.
- (4) Impounded dogs shall be kept in the pound or a minimum period 72 hours at the discretion of the poundkeeper.
- (5) If an impounded dog is not claimed within the 72-hour period, the poundkeeper may, on the expiration of this period, destroy or place such animal for adoption.

- (6) The poundkeeper, upon receiving a certificate from a veterinarian that an impounded dog is suffering from an infectious or contagious disease, may immediately destroy that impounded dog.
- (7) The poundkeeper or any member of the Royal Canadian Mounted Police is hereby authorized to destroy any animal unnecessarily suffering from injury.
- (8) The poundkeeper may, upon receipt of a dog delivered by a Peace Officer or member of the general public, deal with that dog in the same manner as other dogs received and retained under this bylaw.
- (9) The poundkeeper must maintain a log book, which shall record the description of every dog impounded, the name of the person who impounded the dog, the time and location of the impoundment, the fees owing and the manner of disposal.

PART II - CATTLE

8. Control of Cattle

- (1) The owner of cattle shall not permit, suffer or allow their cattle to:
 - (a) run on a highway;
 - (b) run in a public place;
 - (c) stray or trespass on a highway;
 - (d) stray or trespass on a public place;
 - (e) stray or trespass on private property;
 - (f) graze on unfenced land, unless they are securely tethered.
- (2) The keeping of cattle is to be in accordance with the provisions of the Zoning Bylaw.

9. **Impounding**

- (1) The poundkeeper may seize and impound cattle.
- (2) Impounded cattle may be reclaimed by their owner, where ownership has been established to the satisfaction of the poundkeeper and paying to the poundkeeper, the impoundment and maintenance fees listed in the attached Schedule "C".
- (3) Impounded cattle shall be kept in the pound or other suitable location for a period of 72 hours, at the discretion of the poundkeeper.
- (4) If the impounded cattle are not claimed within the 72 hour period the poundkeeper may destroy or sell such cattle for the best price that can be obtained.

10. **Complaints**

Any and all animal complaints shall be formally registered on the complaint form as set out in Schedule "F" of this bylaw.

11. **Penalties**

- (1) Except as otherwise provided in this bylaw, any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, or omits or neglects to fulfill, observe, carryout or perform any duty or obligation imposed by this bylaw shall be liable on summary conviction to a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

12. **Inspection**

The poundkeeper may enter, at all reasonable times, upon any property subject to the regulations of this bylaw in order to ascertain whether such regulations or directions are being obeyed.

13. **Repeal**

The District of Vanderhoof Animal Control Bylaw and amendments thereto, are hereby repealed.

READ A FIRST TIME THIS 24th DAY OF January, 1996.

READ A SECOND TIME THIS 24th DAY OF January, 1996.

READ A THIRD TIME THIS 26th DAY OF February, 1996.

RECONSIDERED AND ADOPTED THIS 13th DAY OF March, 1996.

MAYOR

CLERK

I hereby certify that the foregoing is a true copy of the District of Vanderhoof Animal Control Bylaw No. 812, 1996 as passed by the Municipal Council of the District of Vanderhoof, dated this _____ day of _____, 1996.

CLERK

SCHEDULE "A"

DOG LICENSE FEES

- | | | | |
|----|--|-------------------|---------|
| 1. | License fee for a dog over the age of four months (unspayed) | \$ 10.00 (spayed) | \$30.00 |
| 2. | Kennel license | \$200.00 | |
| 3. | Any person owning a guide dog, raised by the Canadian National Institute for the Blind or a dog trained by the Western Canada Handi and Hearing Ear Dog Society or a dog utilized by the "Police Service Dog Section" of the Royal Canadian Mounted Police, shall be exempt from the licensing provisions of this bylaw. | | |
| 4. | In order to obtain the reduced license fee for a spayed dog, the dog owner will have to provide satisfactory proof that the dog has been spayed. | | |
| 5. | Replacement license tag | \$ 8.00 | |

SCHEDULE "B"

DOG IMPOUNDMENT/MAINTENANCE FEES

| | <u>Licensed</u> | <u>Unlicensed</u> | <u>Vicious</u> |
|--------------------------------------|------------------|-------------------|----------------|
| <u>Impound Fee:</u> | \$ 20.00 | \$40.00 | \$250.00 |
| 2nd and Subsequent Impoundment | \$ 75.00 | .00 | \$700.00 |
| <u>Maintenance Fee:</u> | \$ 10.00 per day | | |

SCHEDULE "C"

CATTLE IMPOUNDMENT/MAINTENANCE FEES

An owner may reclaim their impounded cattle upon paying to the poundkeeper the following impound and maintenance fees for each and upon proving ownership to the satisfaction of the poundkeeper

Impound fee:

\$100.00 per day

SCHEDULE "D"
FEES FOR THE EUTHANASIA OF
DOGS AND CATTLE

| <u>ANIMAL</u> | <u>PRICE</u> |
|---------------|--------------|
| Dog | \$50.00 |
| Cattle | \$50.00 |

If it is necessary for an Animal Control Officer to pick up the animal from the possessor, an additional charge of \$20.00 may be levied.

SCHEDULE "E"

REGULATIONS REGARDING THE USE OF

ANIMAL TRAPS

I, _____ (the property owner) herewith request the use of an animal trap for the period _____ to _____ at the following location:

I agree to comply with the following regulations in the use of the said animal trap, and all the relevant provisions of the District of Vanderhoof Animal Control Bylaw No. 812:

1. The animal trap will be left in operation only during such times as I am present at the above location and at such time(s) as previously agreed with the poundkeeper.
2. The animal trap will not be left in operation overnight unless previously agreed with the poundkeeper.
3. The property owner must notify the poundkeeper immediately an animal is caught.
4. The property owner is responsible for the welfare of the animal until it is collected for impoundment by the poundkeeper.
5. Should the animal suffer any harm at the hands of the property owner, then that property owner will be reported to the British Columbia Society for the Prevention of Cruelty to Animals.

I acknowledge receipt of animal trap # _____ and accept responsibility for the safekeeping of the said animal trap. I agree to reimburse the District of Vanderhoof for any loss or damage to the said animal trap whilst in use by me.

Property Owner

Date

Poundkeeper

SCHEDULE "F"

ANIMAL CONTROL COMPLAINT FORM

DATE of the complaint: _____

TIME of the complaint: _____

LOCATION of the complaint: _____

NATURE of the complaint: _____

SIGNATURE: _____ DATE: _____