

**Regional District of Okanagan-
Similkameen
Animal Control Bylaw No. 1991.02, 2006**

Consolidated

Amendments

**No. 1991.01 adopted November 23rd 2000.
No. 1991.02 adopted March 30th, 2006.**

This Bylaw has been consolidated for convenience only and includes amendments to the text up to March 30, 2006.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 1991.02, 2006

A bylaw to provide for the regulation, licensing and control of animals within the Regional District of Okanagan-Similkameen Electoral Area B.

WHEREAS the Regional Board may, pursuant to sections 799 of the *Municipal Act*, R.S.B.C. 1996, c. 323 and the "Regional District of Okanagan-Similkameen Electoral Area B Animal Control Extended Service Establishment Bylaw No. 1979, 2000", regulate and enforce animal control services in Electoral Area B;

AND WHEREAS the Regional Board may, pursuant to section 703(1)(a) of the *Municipal Act*, regulate or prohibit the keeping of dogs, horses, cattle, sheep, goats, swine, rabbits or other animals and define areas in which they may be kept or may not be kept;

AND WHEREAS the Regional Board may, pursuant to section 704(e) of the *Municipal Act*, require that the owner, possessor or harbourer of a dog, or any class of dog, must keep it, as the bylaw directs, effectively muzzled while at large or on a highway or public place, or on leash or under control of a competent person while on a highway or public place;

AND WHEREAS the Regional Board may, pursuant to section 705 of the *Municipal Act* provide for the licensing of dogs and the establishment and collection of dog license fees;

AND WHEREAS the Regional Board may, pursuant to section 706 of the *Municipal Act* provide for compensation for injuries to livestock;

AND WHEREAS the Regional Board may, pursuant to subsections 707(1)(a) and (b) of the *Municipal Act* provide for the seizure of unlicensed dogs, and of dogs that are unlawfully at large, and for the establishment, maintenance and operation of pounds;

AND WHEREAS the Regional Board may, pursuant to subsections 707(1)(c) and (d) of the *Municipal Act* provide for the establishment and collection of fines and fees, and for the sale and destruction of dogs if the fines and fees have not been paid within a reasonable time;

NOW THEREFORE, the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

PART 1

CITATION

1.1 This Bylaw shall be cited as the Regional District of Okanagan-Similkameen "Electoral Area B Animal Control Regulatory Bylaw No. 1991, 2000".

INTERPRETATION

1.2 In this bylaw:

"Aggressive Dog" means any Dog which has killed or injured any person, dog or other animal, or which has, without provocation, aggressively pursued or harassed any person, dog or other animal;

"At Large" means not being either:

(a) on the property of the Owner;

(b) in direct and continuous charge of a competent person;

(c) securely leashed, or tethered; or

(d) penned or confined within a building or other enclosure or fence;

such that the Dog is not under the control of its Owner;

"Dangerous Dog" has the meaning set out in Section 707.1(1) of the *Local Government Act*;

"Dog" means an animal of the species canine over the age of twenty-four (24) weeks, and includes Dangerous Dogs where applicable;

"Highway" means a highway as defined in the *Municipal Act*;

"License" means a license issued pursuant to this bylaw for the current licensing year, or a license as described in section 2.8 of this Bylaw;

"Licensed Dog" means a Dog for which a license and a corresponding metal license tag have been issued pursuant to Part 2 of this Bylaw, or a Dog whose owner holds a license as described in section 2.8 of this Bylaw;

"Licensing Year" means January 1st to December 31st in any year;

- “Municipality” means any municipality, regional district, or the City of Vancouver;
- “Owner” means any person:
- (a) to whom a License for a Dog has been issued pursuant to Part 2 of this Bylaw or a license as described in section 2.8 of this Bylaw; or
 - (b) who owns, is in possession of, or has the care and control of any Dog; or
 - (c) who harbours, shelters, permits or allows any Dog to remain on or about his land or premises;
- “Pound” means a Pound as established by a Regional District Pound Establishment Bylaw;
- “Pound-keeper” means the person or persons appointed by the Board from time to time to carry out the role of a Pound-keeper as established by this or another Regional District bylaw;
- “Regional Board” means the Regional Board of the Regional District;
- “Regional District” means the Regional District of Okanagan-Similkameen; and
- “Tag” means a metal license tag as described in section 2.4 of this Bylaw, or a license tag as described in section 2.8 of this Bylaw.

GENERAL

- 1.3 No person shall keep the following on any property less than 0.5 hectares in area:
- (a) any horse(s);
 - (b) any cattle;
 - (c) any pig(s);
 - (d) any sheep;
 - (e) any goat(s);
 - (f) more than ten (10) rabbits;
 - (g) more than three (3) Dogs; or

- (h) more than five (5) cats over the age of twenty-four (24) weeks.

PART 2

DOG LICENSES:

- 2.1 An Owner of a Dog shall obtain a License in each Licensing Year by making application to the Regional District and paying the required fee as set out in Schedule "A" to this Bylaw.
- 2.2 A separate License shall be required for each Dog.
- 2.3 Where the Owner of a Dog in respect of which a License has been issued ceases to be the Owner, the License shall be cancelled automatically.
- 2.4 With every License there shall be issued a corresponding metal license Tag impressed or stamped with the number on the License, the year in respect of which the License was issued, and a distinguishing mark to indicate that the License and Tag were issued by the Regional District.
- 2.5 The Owner of every Licensed Dog shall keep the Tag issued for that Dog for the current Licensing Year attached to a collar or harness to be worn at all times by the Dog.
- 2.6 Notwithstanding section 2.5, if a Licensed Dog is kept in a pen or enclosure on the Owner's property, the Tag issued for that Dog need not be attached to a collar or harness worn by the Dog. However, the Owner must produce the Licence and the Tag upon request by the Regional District.
- 2.7 If a Tag issued by the Regional District has been lost, destroyed or mutilated, the Owner of the Dog shall acquire for the remainder of the current Licensing Year a replacement Tag upon payment of the required fee as set out in Schedule "A" to this Bylaw.
- 2.8 Any Owner holding a valid license and a corresponding licence tag for a Dog, for the current Licensing Year, under the provisions of the *Livestock Protection Act*, R.S.B.C. 1996, c. 273, or under a Bylaw of any other Municipality in the Province of British Columbia, shall not be required to make application under section 2.1 of the Bylaw until the first day of January of the following year.

PART 3

CONTROL AND IMPOUNDING OF DOGS AND OTHER ANIMALS:

- 3.1 No Owner shall permit any Dog to be:
- (a) At Large; or
 - (b) in a public place or on a Highway unless the Dog is:
 - (i) kept on a leash that is no more than three (3) metres in length, and is strong enough to restrain the Dog; or
 - (ii) under the direct and continuous charge of a competent person.
- 3.2 Every Owner of an Aggressive Dog shall, in addition to any other requirements of this Bylaw, keep the Aggressive Dog effectively muzzled at all times while in a public place or on a Highway.
- 3.3 The Poundkeeper may seize and impound any unlicensed dog and any dog which is At Large.
- 3.4 The Pound-keeper shall release a seized Dog to the Owner upon proof that a valid License exists for that Dog, and payment of the impoundment and maintenance fees as set out in Schedule "A" to this Bylaw.
- 3.5 If, after seventy-two (72) hours from the time a Dog is impounded by the Pound-keeper, the Owner does not claim the Dog and pay the required fees, the Pound-keeper may destroy or sell the Dog, which includes surrendering it to an animal welfare agency capable of arranging for its adoption.

DANGEROUS DOGS

- 3.6 the Poundkeeper is designated as an animal control officer for the purposes of Section 707.1 of the *Local Government Act* and may deal with dangerous dogs in accordance with that section.

PART 4

OFFENCE AND PENALTIES:

- 4.1 Every person who violates any of the provisions of this Bylaw, or who permits any act or thing to be done in violation of this Bylaw, or who fails to do any act or thing required by this Bylaw, for which a specific penalty, fine or fee has not been designated, shall be deemed to have committed an offence against this Bylaw and shall be liable, upon summary conviction, to a fine not more than \$2,000.00 as provided for by the *Offence Act*, R.S.B.C. 1996, c. 338.
- 4.2 Each day that an offence against this Bylaw continues shall be deemed a separate and distinct offence.

PART 5

EXEMPTIONS:

- 5.1 Guide dogs and R.C.M.P. service dogs are exempt from the provisions of this Bylaw.

READ A FIRST, SECOND, AND THIRD TIME AND ADOPTED this 30th day of March, 2006.

Chairperson

Legislative Services Manager

SCHEDULE "A"

1. IMPOUNDMENT AND MAINTENANCE FEES:

- (a) Impoundment Fees – Dogs (other than Aggressive Dogs)
 - (i) first impoundment in any calendar year \$50.00
 - (ii) second impoundment in any calendar year \$100.00
 - (iii) third impoundment in any calendar year \$250.00
 - (iv) each subsequent impoundment in any calendar year \$500.00

- (b) Impoundment Fees – Aggressive Dogs
 - (i) each impoundment \$1000.00

- (c) Maintenance Fees
 - (i) each twenty-four (24) hour period, or part thereof \$10.00

2. DOG LICENSING FEES:

- (a) any Dog or Aggressive Dog \$10.00

- (b) notwithstanding (a), any Dog that reaches the age of twenty-four (24) weeks part way through a Licensing Year shall require a License upon payment of a portion of the \$10.00 fee pro-rated to a minimum amount of \$5.00.

3. REPLACEMENT OF LOST, DESTROYED OR MUTILATED TAGS:

- (a) replacement of any lost, destroyed or mutilated tag \$2.00