



CONSOLIDATED FOR CONVENIENCE ONLY

**ANIMAL, BIRD AND INSECT CONTROL AND
LICENSING BYLAW
NO. 1700, 2011**



CITY OF QUESNEL

ANIMAL, BIRD AND INSECT CONTROL AND LICENSING

Bylaw NO. 1700, 2011*

Consolidated: June 22, 2018

CONSOLIDATED FOR CONVENIENCE ONLY

CONSOLIDATED FOR CONVENIENCE TO INCLUDE:

**Animal, Bird and Insect Control and Licensing Bylaw Amendment Bylaw
No. 1756 of 2015**

M.T.I. Bylaw Amendment Bylaw No. 1774 of 2015

**Animal, Bird and Insect Control and Licensing Amendment Bylaw No. 1855
of 2018.**

***This bylaw is a “consolidated” version and includes amendments up to the date listed in the bylaw heading. It is placed on the Internet for convenience only, is not the official or legal version, and should not be used in place of certified copies which can be obtained through the Deputy Corporate Administrator at City Hall. Plan, pictures, other graphics or text in the legal version may be missing or altered in this electronic version.**

**CITY OF QUESNEL
BYLAW NO. 1700**

**BEING A BYLAW OF THE CITY OF QUESNEL
TO REGULATE THE KEEPING OF ANIMALS, BIRDS AND INSECTS
WITHIN THE CITY OF QUESNEL**

WHEREAS Council is authorized under the *Community Charter*, to regulate, prohibit and impose requirements with respect to animals and to provide for a system of licences, permits and approvals;

NOW THEREFORE, the Council of the City of Quesnel, in open meeting assembled, enacts as follows:

TITLE

- 1.1 This Bylaw shall be cited as the Animal, Bird and Insect Control and Licensing Bylaw No. 1700.

INTERPRETATION AND APPLICATION

- 2.1 In this Bylaw:

“Aggressive” means for the purposes of this bylaw an animal that acts in any manner that would cause a reasonable person to be concerned about their safety or the safety of other people or animals close by.

"AGGRESSIVE ANIMAL" means an animal that:

- a) according to the records of the Royal Canadian Mounted Police; the City of Quesnel; another local government; or a court of competent jurisdiction, has killed or injured a person or pet, or has aggressively pursued or harassed a person without provocation; or,
- b) to the knowledge of the owner or person responsible, has killed or injured a person or pet, or, without provocation, has aggressively pursued, or harassed a person.

"AGGRESSIVE DOG" means any one or more of the following, without including or encompassing in any form or manner any dog that inflicts a minor bite:

- a) A dog that has aggressively attacked, bitten, or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;
- b) a dog that has aggressively bitten, killed or caused injury to a domestic animal;
- c) a dog that has, without provocation, aggressively pursued or harassed a person or domestic animal;

- d) a dog with a known propensity to attack or injure a person without provocation;
- e) a dog owned or harbored primarily or in part for the purpose of dog fighting, or a dog trained for dog fighting;
- f) a dog that is considered by the Animal Control Officer to be dangerous or aggressive on the basis that it exhibits one or more of the behaviours of an aggressive dog as set out in this definition or similarly threatening or dangerous behaviours; or
- g) a dangerous dog.

"ALTERED DOG" means a female dog that has been spayed or a male dog that has been neutered.

"ANIMAL" means a domestic animal, bird or insect, but does not include:

- a) a dog owned by the Royal Canadian Mounted Police or;
- b) a certified guide animal within the meaning of the *Guide Animal Act*, owned by a person with a visual or other disability.

"ANIMAL CONTROL OFFICER" means an employee, officer or agent of the City designated by Council as an Animal Control Officer for the purposes of this Bylaw, and any person authorized to act on his or her behalf, and includes a Bylaw Enforcement Officer, a peace officer and the SPCA.

"APIARY" means a place where bees are kept.

"AT LARGE" means, with respect to a dog:

- a) a dog which is not under the immediate and effective physical control of a competent person by means of a leash and is upon:
 - i) property, other than the property in respect of which the owner of or person responsible for the dog has a right of occupation, without the consent of the owner or occupier of that property; or
 - ii) any highway, thoroughfare, trail, sidewalk (including the boulevard portion of the sidewalk), park or other public place which has not been designated as an off-leash area; or
- b) a dog that, despite being under the control of a person or otherwise tethered or leashed, causes injury or damage to persons, property or other animals; or
- c) an aggressive dog that is on the property of the owner but is not kept in compliance with the requirements of section 6.1 of this Bylaw,

and with respect to a farm animal:

- d) a farm animal which is not under the immediate and effective physical control of a person responsible while the animal is in a public place; or
- e) a farm animal being on private property other than that owned by or under the control of the animal's owner without the consent of the owner or occupier of the property;

"BYLAW ENFORCEMENT OFFICER" means a municipal employee, officer or agent of the City designated by Council as the Licence Inspector & Bylaw Enforcement Officer, and any person authorized to act on his or her behalf;

"CAT" means the common household cat (*felis catus*)

"CITY" means the Corporation of the City of Quesnel and the geographical area within the boundaries of the City of Quesnel;

"Community Charter" means the *Community Charter*, S.B.C. 2003 Ch. 26, as may be amended from time to time;

"COUNCIL" means the municipal Council of the City of Quesnel;

"DANGEROUS DOG" has the same meaning as defined in Section 49(1) of the *Community Charter*;

"DOG" means an animal of the canine family;

"DWELLING UNIT" means one or more habitable rooms of complementary use, under a single household, operated as a single housekeeping unit designed, used or intended to be used as a domicile and containing one major cooking facility, as well as eating, living, sleeping and sanitary facilities.

"ENCLOSURE" means a securely enclosed and locked pen or other structure constructed to humanely and safely prevent the escape of the animal or the entry of an unauthorized person and, if the enclosure is for an aggressive dog, meeting the description of subsection 6.1 (b) of this Bylaw.

"FARM ANIMAL" includes horses, cattle, mules, swine, sheep, goats, poultry, rabbits, Alpacas and llamas, and any animal used for or involved in a farm operation

"GUARD DOG" means a dog that is specifically trained for or used primarily for the purposes of guarding property, including agriculture, residential, commercial and industrial property and is registered as a guard dog in accordance with this Bylaw.

"GUIDE DOG" means a dog registered as a guide dog within the meaning of the *Guide Animal Act*.

"HIGHWAY" includes any street, road, lane, bridge, viaduct or any other way open to the use of the public, but does not include a private right-of-way on private property.

“KENNEL” means land or premises on or in which more than two dogs actually or apparently over the age of four months are kept, trained, boarded or bred, but does not include a veterinary clinic or hospital;

“LEASH” means a line, thong, chain, chord, or leather strip attached to the collar or harness of a dog and used for the purpose of controlling and restraining a dog and which does not exceed 183 centimeters (6 feet) in length and is made of material of sufficient strength that the dog to which it is attached cannot break it; and, if the animal is an aggressive dog, meeting the description of Section 6.1 (c) of this Bylaw.

"LICENCE" means a licence issued under this Bylaw for the current license year

“LICENCE YEAR” means the period from January 1st to December 31st in any year;

“MINOR BITE” means any dog bite which consists of pinches, minor localized bruising, shallow punctures, or lacerations in one direction only, and was not inflicted after aggressively pursuing or harassing a pet or person.

“MUZZEL” means a humane fastening or covering device of adequate strength placed over the mouth of a dog designed to prevent the dog from biting or injuring another animal or any person.

‘OWNER’ means any person

- a) who is legally entitled to ownership of an animal, or
- b) to whom a dog licence has been issued pursuant to this Bylaw, except that, where the owner is an individual under the age of 19 year, his or her custodial parent or legal guardian is deemed to be the owner for the purposes of this Bylaw.

"POUND" means premises used by the City to harbor and maintain animals seized under this Bylaw or otherwise in accordance with the *Community Charter*;

"POUNDKEEPER" means any person appointed by the City as the Pound keeper or any contractor who has entered into an agreement with the City to assume the responsibilities of the Pound keeper under this Bylaw, and includes the directors, officers, employees, volunteers and other agents of the Pound keeper;

"PUBLIC PLACE" includes any highway and any real property owned, held, operated or administered by the City, including, without limitation, a boulevard, sidewalk, lane, street, park, playground, beach or other area of land open to public use;

“RESPONSIBLE PERSON” or person responsible, means, in relation to any animal, a person who:

- a) Is the owner of the animal;
- b) Has care, custody or control of the animal; or

- c) Is keeping or harboring the animal; except that, where the person is an individual under the age of 19 years, his or her custodial parent or legal guardian is deemed to be the responsible person for the purposes of this Bylaw.

"SEIZE" includes impound and detain;

"SPCA" means the Quesnel Branch of the British Columbia Society for the Prevention of Cruelty to Animals;

"TREASURER/COLLECTOR" means a municipal employee, officer or agent designated by Council as Treasurer/Collector, and any person authorized to act on his or her behalf;

"UNALTERED DOG" means a dog that has not been spayed or neutered; and

"UNLICENCED DOG" means any dog over the age of three months that is not licensed by the City or is not wearing a valid and subsisting licence tag.

- 2.2 All words and phrases that are not defined in the Bylaw must be construed in accordance with the meanings assigned to them by the Community Charter, Local Government Act and Interpretation statute of the Province of British Columbia, and a reference to any enactment refers to that enactment as it may be amended or replaced from time to time. Words in the singular include the plural and gender specific terms include both genders and corporations. Headings in this bylaw are for convenience only and do not define or limit the scope or intent of the Bylaw. If any portion of this bylaw is found invalid by a court of competent jurisdiction, that invalid portion is severed and the remainder is deemed to continue as valid.

LICENCES

- 3.1 Every person who owns, keeps, possesses or harbors any dog that is actually or apparently over the age of three (3) months must ensure that a valid and subsisting licence has been obtained for that dog.
- 3.2 For each dog that must be licensed under this Bylaw, the owner or other responsible person must apply to the City for a licence on a form provided by the City and pay the fee set out in schedule D-6 of the *Comprehensive Fees and Charges Bylaw No. 168*. On receiving a complete application and full payment of the prescribed fee, the City may issue a numbered dog licence and a corresponding licence tag for the Licence Year.
- 3.3 A person who has owned an unlicensed dog for over three (3) months before applying for a licence must pay a late fee set out in Schedule D-6 of the *Comprehensive Fees and Charges Bylaw No. 1683*.

- 3.4 A person who applies for a licence after March 31st, must pay the late fee set out in schedule D-6 of the *Comprehensive Fees and Charges Bylaw no. 1683* unless no licence fee was payable in respect of that dog prior to March 31st of that year.
- 3.5 Despite subsections 3.3 and 3.4,
- a) if the applicant for a licence provides evidence that satisfies the Animal Control Officer that the dog has been spayed or neutered within the twelve (12) month period immediately preceding the application, the licence fee is waived; and
 - b) no licence fees shall be charged for Police Dogs, Guide Dogs, or one (1) spayed or neutered dog whose owner(s) is 65 years of age and older provided that appropriate proof of age is presented with the licence application.
- 3.6 Every licence and corresponding licence tag issued under this Bylaw is valid only for the Licence Year for which it was issued.
- 3.7 The owner of a dog for which a licence and corresponding licence tag have been issued under this Bylaw shall affix, and keep affixed, the licence tag on the dog by a collar, harness or other suitable device except during such times that the dog is kept in an enclosure, in which case the owner must produce the licence upon request.
- 3.8 The owner of a dog for which a licence and corresponding licence tag have been issued under this Bylaw may obtain a replacement licence tag upon satisfying the City that the original licence tag has been lost or stolen and upon payment of the replacement licence fee set out in schedule D-6 of the *Comprehensive Fees and Charges Bylaw No. 1683 of 2010*.
- 3.9 If the owner of a dog in respect of which a licence has been issued under this Bylaw ceases to be the owner of that dog, the licence shall become null and void and the new owner of the dog must submit an application to the City for a new licence.
- 3.10 An ordinary dog licence becomes invalid if the dog becomes an aggressive dog and, within 14 days of the dog being designated as such by an Animal control Officer, or otherwise meeting the definition of an aggressive dog, the owner must obtain a new licence under Section 6.2 (a) for that dog.
- 3.11 A person who does not ordinarily reside in the City may obtain a license for a dog under this Bylaw.

KENNELS

- 4.1 A person must not own or operate a kennel in the City unless the person has first obtained a valid and subsisting licence for the current licence year and the kennel is operated and maintained in strict accordance with all terms and conditions of a kennel licence.

- 4.2 The owner of a kennel must apply to the City for a licence on a form approved by the Animal Control Officer, and pay the fee set out in Schedule D-6 of the *Comprehensive Fees and Charges Bylaw No. 1683*.
- 4.3 The Animal Control Officer may issue a kennel licence and may impose terms, conditions, restrictions and requirements as a condition of the licence in relation to:
- a) the number of dogs permitted at the kennel;
 - b) the type, construction, size and condition of enclosures and fenced exercise areas; and
 - c) resolving any nuisance arising from the kennel operation based on complaints from residents or businesses in the vicinity.
- 4.4 The Animal Control Officer may refuse to issue or may suspend or cancel a kennel licence if the Officer considers that the kennel is not being, or cannot be operated or maintained in accordance with the Bylaw or the terms and conditions of a kennel licence.
- 4.5 A person who wishes to have a decision of the Animal control Officer reconsidered by Council may apply to the corporate officer of the City to arrange a hearing time and date, After hearing from the person and any other person who Council is willing to hear from about the matter, Council may confirm, vary, or cancel that decision, and establish terms, conditions, restrictions or requirements on any licence that is issued, continued or reinstated.
- 4.6 For certainty, the operator of a kennel and any employees, contractors or servants are deemed to be responsible persons for any dog while it is under the custody or control of any of those persons.

REGULATIONS OF DOGS

- 5.1 Except for kennels operating under a licence, a person must not keep, possess or harbor more than three (3) dogs actually or apparently over the age of three (3) months per dwelling unit.
- 5.2 A person responsible for a dog must not cause, permit, suffer or allow the dog to:
- a) howl or bark excessively where such howling or barking disturbs quiet, peace, rest, enjoyment, comfort or convenience to persons in the neighbourhood or vicinity of the place where the dog is kept;
 - b) be at large in the City;
 - c) be in a public place unless the dog is kept on a leash and the dog is under the immediate care and control of a competent person;
 - d) inflict a minor bite on any pet or person;

- e) be in a public place unless the dog is actually or apparently under the age of three (3) months or unless a valid and subsisting license has been issued for the dog either by the City or another local authority as defined by the Community Charter; or
 - f) Subsections (b) and (c) do not apply to designated off leash areas of the City.
- 5.3 If a dog defecates anywhere other than the dog's owner's property or other responsible person, the person responsible for the dog must immediately remove the excrement so deposited and dispose of it in a sanitary manner.
- 5.4 No person other than the owner of a dog shall remove any form of identification on or affixed to the dog.
- 5.5 A person responsible for a dog that suffers from any contagious disease must ensure that the dog is kept in isolation from other dogs and animals who may be susceptible to the disease, and obtain appropriated veterinary care for that disease.
- 5.6 A dog that inflicts a minor bite shall not be deemed an aggressive dog under this bylaw.

AGGRESSIVE ANIMALS

- 6.1 Every person responsible for an aggressive dog or other aggressive animal must at all times keep the animal:
- a) securely confined indoors such that the animal cannot escape; or
 - b) in an enclosure, constructed to prevent the escape of the animal and capable of preventing the entry of any person not in control of the dog or animal, and configured as follows:
 - i. the enclosure shall have secure sides and a secure top, and if it has no bottom secured to the sides, the sides must be embedded in the ground to a minimum depth of thirty (30) centimeters;
 - ii. the enclosure shall provide the aggressive dog or aggressive animal with shelter from the elements and be of the minimum dimensions of one and one-half (1.5) metres by three (3) metres in dimension and be a minimum one and one-half (1.5) metres in height; and
 - iii. the enclosure shall not be within one (1) metre of the property line or within five (5) metres of a neighbouring dwelling unit; or
 - c) on a leash or tether, made of sturdy material, no more that 1.5 metres (4.9 feet) in length and not attached to a retracting mechanism, held by and under the immediate control of a competent adult skilled in animal control;
 - d) muzzled while in a vehicle or public place.

- 6.2 Every owner of an aggressive dog or other aggressive animal must:
- a) obtain from the City a separate licence indicating the animal is aggressive;
 - b) ensure that the animal can be identified by way of a numeric or alphanumeric tattoo or other permanent identification device satisfactory to the Animal Control Officer; and
 - c) post warning signs that give clear notice of the animal's presence to anyone visiting the property, in accordance with the following:
 - i. the sign must state that an aggressive dog or aggressive animal, as the case may be, is on the premises;
 - ii. the lettering must be clearly visible by a person standing on the lesser of the curb line adjacent to the parcel or 15 metres (49.2 feet) from the premises;
 - iii. the signs must be posted in each driveway or entrance to the property, and if there is more than one dwelling or business premises on the property, signs must be posted on or beside all exterior doors of each dwelling or premises; and
 - iv. the signs must be posted and affixed so that they cannot be removed.

HARASSMENT

- 7.1 Every person responsible for an animal must act reasonably to ensure that the animal does not:
- a) kill or injure a person or pet; or
 - b) aggressively pursue or harass a person or pet without provocation.

DOG IN HEAT

- 8.1 Every person responsible for an unaltered female dog must at all times when the dog is in heat either:
- a) keep the dog securely confined indoors or within a building or enclosure which will prevent the escape of the dog or the entry of other dogs; or
 - b) keep the dog on a leash while it is being walked off property of the responsible person.

GUARD DOGS

- 9.1 Every person responsible for a guard dog, which is not confined within a locked building on the property, must ensure that:

- a) the outdoor area where the dog is kept is completely fenced by means of a secure fence, constructed in a manner that will keep the dog from escaping, with a minimum height of 1.8 metres, and with gates in the fence secured against unauthorized entry, or
 - b) the dog is securely confined in a fully enclosed pen or cage which will prevent unauthorized entry and prevent the dog from escaping.
- 9.2 Every owner of a guard dog must post warning signs which give clear notice of the dog's presence to anyone visiting the owner's property as follows:
- a) the lettering on the signs must be clearly visible from the lesser of the curb line or 15 metres (49.2 feet) from the premises;
 - b) the signs must be posted in each driveway or entrance to the property and, if other than a single family property, at all exterior doors of the building.
- 9.3 Before bringing a guard dog into or using a guard dog in the City, every owner of a guard dog must register the dog with the City as a guard dog and provide the City with records containing the following information:
- a) the address where the dog is usually kept and the address of each parcel that the dog will be guarding;
 - b) the approximate hours during which the dog will be performing guard duties;
 - c) the age, sex, breed, and dog licence number of the dog; and
 - d) the full name, address, and telephone number of the owner and any other individual who will be responsible for the dog while it is on guard duty.
 - e) Proof of liability insurance in the minimum amount of two (2) million dollars per incident coverage for damage or injury to any persons or property caused by or resulting from the dog's behavior.
 - f) Every owner of a guard dog must communicate any change in information required under subsection 9.3 in writing to the Animal Control Officer at least twenty-four (24) hours before the change occurs.

CATS

- 10.1 A person must not own, keep, possess or harbor more than three (3) cats actually or apparently over the age of three (3) months on any parcel in the City.

FARM ANIMALS

- 11.1 No person shall own, keep, possess or harbor any farm animals except in areas designated for that use in the City's Zoning Bylaw.
- 11.2 An owner of a farm animal must not cause, allow or permit the animal to be:

- a) at large;
 - b) grazing on unfenced land; or
 - c) moved without a harness or a lead over a highway without a special permit first being obtained from the City.
- 11.3 If a farm animal defecates on any travelling surface the farm animal's owner's property or other responsible person's property, the person responsible for the farm animal must immediately remove the excrement so deposited from the travelling surface.

INSECTS

- 12.1 No person shall keep or possess an apiary except in areas designated for that use in the City's Zoning Bylaw
- 12.2 It shall be the responsibility of the person on whose property the bees are being kept to ensure that said bees are re-queened if said bees are subject to swarming or show signs of aggressive behaviour.
- 12.3 A person must not keep more than four (4) colonies of bees on a parcel of land.
- 12.4 No person shall locate a beehive within five (5) meters of any property line.

BIRDS

- 13.1 A person must not own, keep, possess or harbor chickens or pigeons except in areas designated for that use in the City's Zoning Bylaw.
- 13.2 A person who is the owner or keeper of pigeons or doves, or upon whose land pigeons or doves are kept, must not cause, allow, suffer or permit such pigeons or doves to perch, roost or rest upon the land or buildings of any other person in the City, or to stray, feed or roost on any highway or other public place in the City, save and except:
- a) on real property of which the owner of such pigeons or doves is the owner or lessee; and
 - b) For the purpose of excising or racing when such pigeons or doves shall be under the control of the owner.
- 13.3 A person must not keep pigeons or doves in, upon, or under any building used for human habitation.

ANIMALS

- 14.1 A person must not own, keep, possess or harbor more than four (4) animals apparently over the age of three (3) months except in areas designated for that

use in the City's zoning Bylaw, or permitted by this bylaw except birds, insects or farm animals.

- 14.2 A person must not own, keep, possess or harbor an animal, insect or bird suffering from any contagious disease unless the animal is in isolation and under veterinary care for that disease.

PROHIBITION OF CRUELTY TO ANIMALS

- 15.1 A person responsible for any animal in the City must act reasonably to ensure the animal is provided with:
- a) clean, potable drinking water and food in sufficient quantity and of a recognized nutritional quality to allow for the animal's normal growth and the maintenance of the animal's normal body weight;
 - b) food and water receptacles which are clean;
 - c) the opportunity for periodic exercise sufficient to maintain the animal's good health;
 - d) necessary veterinarian care when the animal exhibits signs of pain, suffering or disease; and
 - e) a clean and sanitary shelter of sufficient size to allow the animal to turn about freely and stand, sit and lie in a normal position.

ESTABLISHMENT OF POUND AND POUND KEEPER

- 16.1 The land and premises located at 1000 Carson Pit Road, Quesnel, British Columbia and legally described as City Lot 6683, are hereby established as the Pound.
- 16.2 The Pound keeper will maintain records which include:
- a) a description of every animal at the Pound, including a dog's licence number if any, and the date and time each animal is received at the Pound;
 - b) the name of the person or persons taking or sending any animal to be impounded;
 - c) the date and time each animal impounded was released, sold, destroyed or otherwise disposed of by the Pound keeper;
 - d) the name of every person redeeming any animal and a photocopy of the receipt provided to that person by the City;
 - e) the name of every person purchasing any impounded animal and the amount paid by that person;

- f) the amount of any impounding, maintenance and veterinarian fees, costs and charges connected with each impounded animal.

SEIZURE AND IMPOUNDMENT

- 17.1 An Animal Control Officer may seize and impound:
 - a) any unlicensed dog;
 - b) any animal found at large contrary to this Bylaw; or
 - c) any animal on unfenced land and not securely tethered or contained.
- 17.2 An Animal Control Officer may enter a place to exercise the power under subsection 17.1 of this Bylaw with regards to dangerous dogs, in accordance with the provisions in sections 49(4) to (9) of the Community Charter.
- 17.3 The Pound keeper will ensure that all animals impounded under this Bylaw receive sufficient food, water, shelter, and if necessary, reasonably veterinary attention, and that the animals are not mistreated while impounded.
- 17.4 When an animal is seized under this Bylaw, the SPCA, Poundkeeper or Bylaw Enforcement Officer will make reasonable efforts to identify and notify the owner of the animal of the fact that the animal has been seized and that, unless the owner reclaims the animal in accordance with subsection 17.5 of this Bylaw, the animal may be sold, euthanized or otherwise disposed of by the Poundkeeper after the expiration of:
 - a) in the case of licensed dogs, seven (7) business days;
 - b) in the case of unlicensed dogs and all other animals, three (3) business days.
- 17.5 An owner of an animal seized under this Bylaw, or any person authorized in writing on the owner's behalf, may reclaim the animal at any time during regular Pound operating hours prior to its sale, euthanization or other disposal under subsection 17.4 upon:
 - a) delivery to the Bylaw Officer evidence satisfactory to the City of ownership of the animal;
 - b) payment of the impoundment and boarding fees, costs and fine charges incurred in respect of the seizure and boarding of the animal as set out in Schedule "A";
 - c) payment of the actual cost of any veterinarian fees or expenses reasonably incurred by the City in respect of the animal during the time that it was seized and impounded; and
 - d) payment of the current licence fee if the animal is required to be licensed under this Bylaw and is not licensed.

- 17.6 Any fines, impound fees, and other costs imposed by this Bylaw are payable by the owner of the impounded dog, regardless of whether the dog is reclaimed by the owner.
- 17.7 Notwithstanding subsection 17.5 of this Bylaw, the Pound keeper may detain a dangerous dog, pending a hearing under section 49(10) of the *Community Charter* to seek to have the dog humanely destroyed. Should the order not be granted, the dog may be redeemed by the owner upon payment of the impounding and boarding fees and costs set out in Section D-6 of the *Comprehensive Fees and Charges Bylaw No. 1683*.
- 17.8 Where an animal that has been seized under this Bylaw has not been redeemed in accordance with subsection 17.5 or within the time set out in subsection 17.4, the Poundkeeper may offer the animal for sale or adoption.
- 17.9 Where the Pound keeper is unable or considers it undesirable to effect the sale or adoption of an animal that has been seized under this Bylaw, the Pound keeper may humanely euthanize or otherwise dispose of the animal.
- 17.10 An Animal Control Officer may seize any animal suffering from an incurable disease and may destroy that animal upon certification of the animal's condition by a licenced veterinarian.

GENERAL REGULATIONS

- 18.1 The Bylaw Enforcement Officer, may, in accordance with Section 16 of the *Community Charter*, enter on to any property to inspect and ascertain whether this Bylaw is being observed.
- 18.2 A person must not interfere with, hinder, delay or obstruct in any manner, directly or indirectly, a bylaw Enforcement Officer or an Animal Control Officer or any person employed by the Animal control Officer, in carrying out their respective duties and powers under this bylaw.
- 18.3 A person must not break open or in any manner, directly or indirectly, aid or assist in the breaking open, of the Pound.
- 18.4 A person must not take or release any animal from the Pound without the consent of the Poundkeeper.

OFFENCES AND PENALTIES

- 19.1 Any person who,
- a) contravenes, violates or fails to comply with any provision of this Bylaw;
 - b) permits, suffers or allows any action or thing to be done in contravention of this Bylaw; or
 - c) fails or neglects to do anything required to be done under this bylaw

commits an offence, and where the offence is a continuing one, each day that the offence continues amounts to a separate offence.

19.2 A person who is convicted of an offence under this Bylaw is liable to pay a minimum fine of \$50.00, and a maximum fine of up to \$10,000, for each offence. Without limiting other remedies authorized by legislation, this Bylaw may be enforced by:

a) issuance of a ticket in the form prescribed by regulation under the *Community Charter*, or

b) proceedings brought in Provincial court under the *Offence Act*;

19.3 The Animal Control Officer is hereby authorized to refer any disputed ticket Information to the Provincial Court for a hearing.

SCHEDULES

20.1 Schedule "A" is attached to and forms part of this Bylaw.

REPEAL

21.2 Bylaws No. 1110 & 1331 and all amendments thereto are hereby repealed effective December 31st, 2011.

COMMENCEMENT

22.1 This Bylaw shall come into force and take effect January 1st 2012.

READ A FIRST TIME THIS 24TH DAY OF OCTOBER, 2011

READ A SECOND TIME THIS 24TH DAY OF OCTOBER, 2011

READ A THIRD TIME THIS 24TH DAY OF OCTOBER, 2011

RECONSIDERED AND ADOPTED THIS 7TH DAY OF NOVEMBER, 2011

"original signed by" _____
MAYOR

"original signed by" _____
CORPORATE OFFICER

Schedule "A"
Animal Control and Licencing Bylaw No. 1700

Impoundment Fees

Licensed Dog

First impoundment in any calendar year	\$30.00
Second impoundment in any calendar year	\$50.00
Third and subsequent impoundments in any calendar year	\$100.00

Unlicensed Dog

First impoundment in any calendar year	\$75.00
Second impoundment in any calendar year	\$500.00
Third and subsequent impoundments in any calendar year	\$1,000.00

Boarding Fees

Dog	\$30.00 for first 24 hrs and \$20.00 per 24 hrs thereafter.
Cat, rabbit and poultry	\$30.00 for first 24 hrs and \$20.00 per 24 hrs thereafter.
Farm animals other than rabbits and poultry	At Cost