

**REGIONAL DISTRICT OF KITIMAT-STIKINE
BYLAW NO. 494**

A bylaw to license and regulate dogs and to establish an animal shelter pound in Electoral Area "E" and a Specified Portion of Electoral Area "C" of the Regional District of Kitimat-Stikine.

WHEREAS the Board of the Regional District of Kitimat-Stikine has established a dog control service in Electoral Area "E" and a Specified Portion of Electoral Area "C";

AND WHEREAS the Board of the Regional District of Kitimat-Stikine may exercise the powers under Section 703(1)(a), 704(e), 705, 706, 707(1) and 707.1 of the Local Government Act in relation to a dog control service;

AND WHEREAS the Board of the Regional District of Kitimat-Stikine has deemed it necessary to make rules for the provision, operation and administration of the dog control service;

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

1.0 DEFINITIONS:

1.1 In this Bylaw, the following words and terms shall have the meaning hereby assigned:

"Animal Shelter" means any building or enclosure or place for impounding dogs established by the Regional District of Kitimat-Stikine Board under the provisions of this Bylaw.

"At Large" means:

- a) any dog in or upon the lands or premises of any person other than the owner of the dog without the consent, express or implied of that person;
- b) any dog in or upon a public place posted as being prohibited to dogs;
- c) any dog in or upon a public place not prohibited to dogs, or a highway, unless under the effective control of a responsible and competent person;
or
- d) a vicious dog, which is not securely leashed and muzzled or caged and under the effective control of a responsible and competent person in or upon a public place not prohibited to dogs or a highway.

"Dog" means both male and female of the canine species apparently over the age of four (4) months.

"Dog Tag" means the license issued by the Regional District under Section 2.0.

“Domestic Animal” means a pet or domestic animal as defined under the Livestock Protection Act, and includes dogs, rabbits, goats, sheep, swine, horses, cattle, and poultry.

“Domestic Animal Protection Officer” means the person appointed from time to time by the Board of the Regional District of Kitimat-Stikine for the purpose of enforcing and carrying out the provisions of this Bylaw, and shall include an assistant or any person appointed by the Regional Board to assist in carrying out the provisions of this Bylaw.

“Electoral Area E and a Specified Portion of Electoral Area C of the Regional District of Kitimat-Stikine” means the enforcement area as outlined in Schedule ‘D’.

“Impounded” means seized, delivered, received, or taken into the Animal Shelter, or in the custody of the Domestic Animal Protection Officer, as provided for in this Bylaw.

“Kennel” means a parcel where three or more dogs are kept, trained, cared for, bred, treated, hospitalized or boarded for remuneration or for the purposes of sale.

“Owner” means a person who owns, possesses or harbours a domestic animal or dog.

“Parcel” means a lot, block or other area in which land is held or into which land is subdivided and which is registered under one title, pursuant to the Land Title Act.

“Regional Board” means the Regional Board of the Regional District.

“Regional District ” means the Regional District of Kitimat-Stikine.

“Treasurer” means the Treasurer of the Regional District.

“Service Area” means Electoral Area “E” and a Specified Portion of Electoral Area “C” of the Regional District of Kitimat-Stikine as outlined in Schedule “D”.

“Unlicensed Dog” means any dog for which the license for the current year has not been paid as provided in this Bylaw, or to any dog that is not wearing the Dog Tag.

“Vicious Dog” means:

- a) any dog with a known propensity, tendency or disposition to attack without provocation other domestic animals or humans; or
- b) any dog, which has bitten another domestic animal or human without provocation.

2.0 LICENSING OF DOGS

- 2.1 An owner of a dog shall, on or before the 2nd day of January of the licensing year, apply for and obtain a license in the form of a Dog Tag for the dog and attach the Dog Tag to a collar worn by the dog.
- 2.2 a) Every application for a license shall be accompanied by a license fee payable annually to the Regional District of Kitimat-Stikine as outlined in Schedule "A".
- b) Before issuing a license for a spayed female dog, or neutered male dog, the Regional District may require the owner to furnish proof that the dog has been spayed or neutered.
- c) If a license fee is payable under Subsection 2.1, an owner who does not obtain a license by the date referred to in Section 2.1 must pay the late annual fee for such dog as prescribed in Schedule "A".
- 2.3 Every license issued under this Bylaw will be for the calendar year for which the license is issued and will expire on the 31st day of December of the year in which the license takes effect.
- 2.4 Where the owner of a dog for which a license is issued under this Bylaw sells or otherwise ceases to be the owner of the dog, the license may be transferred for a fee prescribed in Schedule "A".
- 2.5 a) Any person holding a license for any dog under the provisions of the Livestock Protection Act and amendments thereto, or under a Bylaw of any other municipality or regional district of the Province of British Columbia will not be liable to pay any license fee pursuant to this Bylaw in respect of the same dog for the unexpired portion of the period for which such license for such dog shall have been issued.
- b) Section 2.5 a) does not apply to any person who has obtained the license in another municipality or regional district while residing within the Service Area.
- 2.6 No person shall own, keep, harbour or possess a dog within the Service Area unless the person has obtained a license for the dog in accordance with this Bylaw.

3.0 NOISE CONTROL

- 3.1 No person who owns a dog shall permit or cause the dog to cry or bark in a manner which tends to disturb the peace, quiet, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity of the place where the dog is kept.

4.0 DOG AT LARGE

- 4.1 No person shall permit a dog owned or harboured by that person to run At Large within the boundaries of the Service Area.

5.0 NO REMOVAL OF DOG TAG

5.1 No person shall remove a Dog Tag or any collar to which a Dog Tag is attached from a dog except:

- a) with the authority of the owner; or
- b) to facilitate a medical service to the dog;

and the Dog Tag or the collar to which the Dog Tag is attached shall be replaced on the dog as soon as it is reasonably practical to do so.

6.0 VICIOUS DOG

6.1 The owner of a Vicious Dog shall, where the dog is on premises owned or controlled by the owner:

- a) confine the dog in a building or other secure enclosure capable of preventing the entry of young children; or
- b) securely leash and muzzle or cage the dog whenever the dog is off the owner's premises.

6.2 An owner of a vicious dog shall have the dog immunized for rabies or distemper.

6.3 Where a person acquires a vicious dog apparently over the age of six (6) months and does not have proof that the dog has been immunized against rabies or distemper, the owner shall have the dog immunized within one (1) month of acquiring the dog.

7.0 ESTABLISHMENT OF POUND

7.1 The Thornhill Animal Shelter located on land legally described as Lot 1, Plan 8832, District Lot 373, Range 5, Coast District is established and may be maintained and operated as a pound for the impoundment of unlicensed dogs and dogs unlawfully At Large within the Service Area, and as a shelter for cats and dogs.

8.0 IMPOUNDING DOGS

8.1 A Domestic Animal Protection Officer or a Police Officer may seize any unlicensed dog or any dog found At Large within the Service Area.

8.2 Where a Police Officer seizes a dog, the Police Officer must, within forty-eight (48) hours after making such a seizure, cause the dog to be impounded into the custody of a Domestic Animal Protection Officer.

8.3 The Domestic Animal Protection Officer will retain all dogs impounded for a minimum of seventy-two (72) hours.

- 8.4 Despite Section 8.3, if a Domestic Animal Protection Officer obtains custody of a dog which is apparently suffering from any injury that represents an apparent threat to the life or well-being of the dog or an incurable disease or sickness, the Domestic Animal Protection Officer may destroy the dog, where the Domestic Animal Protection Officer considers that the dog would not survive the injury, disease or sickness or that, in all of the circumstances, the Domestic Animal Protection Officer considers that the destruction of the dog would prevent undue suffering on the part of the dog.
- 8.5 Where the Domestic Animal Protection Officer believes that an unlicensed dog has taken refuge on any premises, the Domestic Animal Protection Officer is authorized to enter onto the premises at reasonable times upon showing identification to determine whether the dog is licensed.
- 8.6 If the Domestic Animal Protection Officer is not provided with evidence that the dog is licensed within a reasonable time, the Domestic Animal Protection Officer may seize the unlicensed dog.
- 8.7 The owner of any dog impounded pursuant to the provisions of this Bylaw may reclaim such dog on application to the Domestic Animal Protection Officer at the Animal Shelter prior to its sale or destruction on proof of ownership and on payment of the following charges:
- a) if no license for the current year for the dog has been taken out by the owner, pursuant to this Bylaw, the applicable license fee together with the impoundment fee prescribed in Schedule "A"; or
 - b) if the license for the current year for the dog has been taken out by the owner, pursuant to this Bylaw, the impoundment fee prescribed in Schedule "A"; and
 - c) in addition to the charges as set forth in subsections a) and b) the boarding fee prescribed in Schedule "A" for each whole or part twenty-four (24) hour period the dog has remained in the Animal Shelter.
- 8.8 No person shall rescue or remove or attempt to rescue or remove a dog lawfully in the custody of the Domestic Animal Protection Officer.

9.0 SALE OR DESTRUCTION OF DOGS

- 9.1 If the Domestic Animal Protection Officer does not know the owner of a dog, or an owner who is notified of impoundment by the Domestic Animal Protection Officer does not, within three (3) days of such notification, appear at the Animal Shelter and release an impounded dog by payment of the applicable fees, the Domestic Animal Protection Officer may sell or destroy the dog.

10.0 REDEMPTION OF IMPOUNDED DOGS

- 10.1 Every owner or other person entitled to the possession of a dog which has been impounded shall, upon being notified or becoming aware of such impounding, redeem the dog in accordance with the provisions of this Bylaw.
- 10.2 An owner of a dog is liable for the payment of all fees prescribed in Schedule "A" incurred in relation to any dog impounded at the Animal Shelter, notwithstanding the escape of the dog.

11.0 GENERAL

- 11.1 In the event of an outbreak or threatened outbreak of rabies or any other disease affecting dogs which may be transmitted to human beings, the Regional Board may at anytime, by resolution, order and direct that all dog owners shall securely tie their dogs up, or otherwise effectively confine and prevent them from being At Large in the Service Area.

12.0 COMPENSATION

- 12.1 The compensation payable to an owner of a Domestic Animal killed or injured by any dog, the owner of which is unknown, and after diligent enquiry, cannot be found, shall be in accordance with the amounts prescribed in Section 10 of the Livestock Protection Act Regulations.
- 12.2 All claims shall be filed with the Treasurer before the lapse of three (3) business days after the owner of the Domestic Animal discovers the occurrence of killing or injury.
- 12.3 The maximum sum available in any one year to a person for the purpose of compensation under this Bylaw is the amount prescribed under the Livestock Protection Act.
- 12.4 All claims under this Bylaw shall be filed in the form attached hereto as Schedule "C".

13.0 KENNEL REGULATIONS

- 13.1 No person shall keep three or more dogs apparently over the age of four (4) months on any parcel unless kennel use is a permitted use of the parcel in accordance with the Regional District's Zoning Bylaw.
- 13.2 No person shall:
- a) permit or cause a dog to be unattended or uncontrolled in an open air run in a kennel between the hours of 9:00 pm and 7:00 am;

- b) allow a dog to run loose in a kennel except in a securely fenced area capable of preventing escape of the dog; or
- c) permit or cause barking, yelping, howling or other frequent or disturbing noise to emanate from a kennel.

13.3 The owner or operator of a kennel shall:

- a) keep the kennel and yard surrounding it at all times in a clean and sanitary condition and free of vermin and rodents;
- b) collect all uneaten food from the kennel daily, wrap it and place it in a garbage can for collection and disposal;
- c) dispose of all manure, dung or refuse and all liquid waste from the kennel in a sanitary manner, which meets approval of the Medical Health Officer;
- d) dispose of all hair clippings and waste paper in a sanitary manner; and
- e) keep the kennel regularly cleaned, disinfected, and free of any fecal matter and offensive or disagreeable odours.

14.0 RIGHT OF INSPECTION

14.1 The Domestic Animal Protection Officer may enter upon any property at all reasonable times to ascertain whether a requirement of this Bylaw is being met or a regulation is being observed.

14.2 Without limiting Section 14.1, the Domestic Animal Protection Officer may enter onto any property within the Service Area at all reasonable times in pursuit of a dog or dogs which the Domestic Animal Protection Officer has reason to believe is an unlicensed dog.

15.0 NO INTERFERENCE

15.1 No person shall interfere with a Domestic Animal Protection Officer in the lawful exercise of his or her duties under this Bylaw.

16.0 PENALTY

16.1 The person who contravenes this Bylaw commits an offence punishable on summary conviction and is liable to a fine of not less than \$100 and not more than the maximum prescribed in the Offence Act R.S.B.C. 1996 c. 338.

17.0 SCHEDULES

17.1 The schedules of this Bylaw form part of this Bylaw and are enforceable in the same manner as this Bylaw.

18.0 REPEAL

18.1 The Regional District of Kitimat-Stikine Electoral Area "E" and a Specified Portion of Electoral Area "C" Dog Regulation and Impounding Bylaw No. 151, 1980, is hereby repealed.

This Bylaw may be cited as the "Thornhill Dog Regulations and Impounding Bylaw No. 494, 2002".

READ a first time this 26 day of October, 2002.

READ a second time this 26 day of October, 2002.

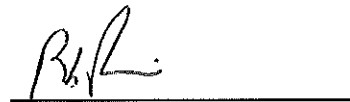
READ a third time this 26 day of October, 2002.

ADOPTED this 25 day of January, 2003 .

Chair



Administrator



SCHEDULE "A"

REGIONAL DISTRICT OF KITIMAT-STIKINE

Thornhill Dog Regulations and Impounding Bylaw No. 494, 2002

FEES

1. LICENSING FEE

	Annual Fee	Late Annual Fee After January 2
a) Dogs		
Neutered Male or Spayed Female	\$20.00	\$25.00
Not Neutered or Not Spayed	40.00	45.00
b) Replacement or Transfer of License	3.00	

2. IMPOUNDMENT FEE (Released to Owner)

	Licensed	Unlicensed
a) Spayed or Neutered:		
First Impoundment in One Year Period	\$30.00	\$ 50.00 (plus license fee)
Second Impoundment	40.00	
Third Impoundment	60.00	
Each Additional Impoundment	100.00	
b) Not Spayed or Neutered:		
First Impoundment in One Year Period	100.00	140.00 (plus license fee)
Each Additional Impoundment	150.00	
c) Any animal released under Section 2. b) shall receive a certificate, which can be redeemed at participating veterinarians for the entire routine spay/neuter cost.		

3. ADOPTION FEE

All dogs	\$100.00 (includes spay or neuter costs if necessary and license fee)
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4. BOARDING FEE

Per Day	\$ 8.00
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SCHEDULE 'B'

REGIONAL DISTRICT OF KITIMAT-STIKINE

Thornhill Dog Regulations and Impounding Bylaw No. 494, 2002

IMPOUNDMENT NOTICE

To: _____

Take notice that, pursuant to the provisions of the Regional District of Kitimat-Stikine "Thornhill Dog Regulations and Impounding Bylaw No.494, 2002":

(description of dog or dogs impounded)

was (or were) impounded in the Animal Shelter kept by me at _____

_____ on the _____ day of _____, 20__.

Further, take notice that unless, within three days after the date of this notice, you appear at the Animal Shelter and release the dog(s) so impounded by the payment of the lawful fees and charges, the same will be destroyed or sold as provided in the said Bylaw.

Dated this _____ day of _____, 20__.

Domestic Animal Protection Officer
Regional District of Kitimat-Stikine

SCHEDULE 'C'

REGIONAL DISTRICT OF KITIMAT-STIKINE

Thornhill Dog Regulations and Impounding Bylaw No. 494, 2002

APPLICATION FOR COMPENSATION

1. Name: _____

2. Address: _____

3. At _____ am/pm on _____, 20____,

the following were killed by dog(s):

Poultry _____

Goats _____

Sheep _____

Animals of Bovine Species _____

Swine _____

Horses _____

4. Within three (3) business days of _____

notified _____

5. The dog(s) is/are owned by _____, or is/are unknown and by diligent inquiry cannot be found.

6. I understand that, if approved, payment of this claim will be made pursuant to Section 12 of Bylaw No.494, 2002.

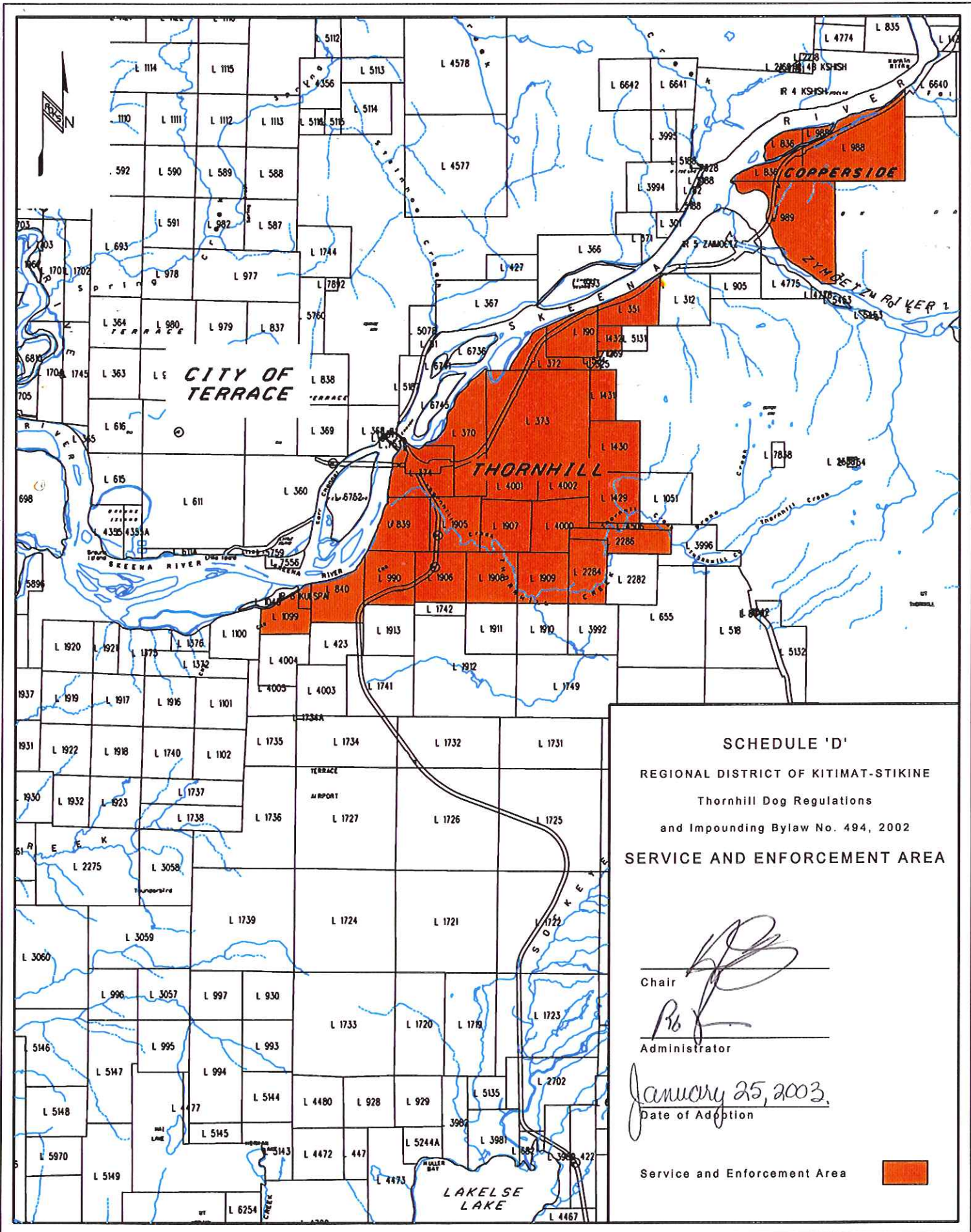
I solemnly declare that this is a true and correct statement.

Declared at _____ this _____ day of _____, 20____,

before me _____.

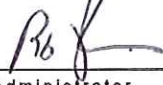
Treasurer

Owner



SCHEDULE 'D'
 REGIONAL DISTRICT OF KITIMAT-STIKINE
 Thornhill Dog Regulations
 and Impounding Bylaw No. 494, 2002
SERVICE AND ENFORCEMENT AREA

Chair 

Administrator 

January 25, 2003
 Date of Adoption

Service and Enforcement Area 