

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 376

(Consolidated for convenience only to include up to 376.7)

A Bylaw to regulate the keeping of dogs within the Sunshine Coast Regional District, and to provide for fixing, imposing and collecting licence fees from the issuance of licenses to any person who owns, possesses or harbours any dog.

WHEREAS it is deemed expedient to regulate the keeping of dogs within the Sunshine Coast Regional District, and to provide for the fixing, imposing and collecting of license fees from the issuance of licenses to any person who owns, possesses or harbours any dog;

AND WHEREAS Supplementary Letters Patent issued by Order-in Council the 17th day of April, 1985, provide that the Sunshine Coast Regional District, with respect to Electoral Areas B,C,D,E and F, may by bylaw exercise those powers relating to animals set out in the Municipal Act;

NOW THEREFORE the Board of the Sunshine Coast Regional District in open meeting assembled enacts as follows:

SECTION I - DEFINITIONS

1. In this Bylaw:

- (A) "Collar or Harness" means a device of leather, metal, nylon or similar material to be worn by a dog and to which may be affixed both a tag and a leash. The Collar or Harness shall be of sufficient strength and design to remain securely on the dog and restrain the dog wearing same.
- (B) "Dog" means both male and female of the species canine over the age of three months.
- (C) "Dog Control Officer" means the person or persons appointed from time to time by the Regional Board to be Dog Control Officer, to carry out the provisions of this Bylaw.
- (D) "Domestic Animal" means an animal that is tame or kept, or that has been or is being tamed or kept, to serve some purpose for the use of persons.
- (E) "Impounding" means seized, delivered, received or taken into the Pound, or in the custody of the Dog Control Officer or the Pound-keeper as provided for herein.

- (F) "Leash" means a device of leather, metal, nylon or similar material of no more than 2 meters in length which may be affixed to a dogs collar or harness. It shall be of sufficient strength and design to remain securely affixed to the collar or harness and restrain the dog wearing same.
- (G) "Owner" means any person who possesses or harbours a dog or dogs or who has control, care or custody of it, and "owned" shall have a corresponding meaning.
- (H) "Pound" means the building or enclosure designated as a Pound by the Sunshine Coast Regional District.
- (I) "Poundkeeper" means the person or persons appointed from time to time by the Regional Board to be Poundkeeper, or the authorized agent of any corporation or society, with whom the Regional Board has an agreement to act as Poundkeeper under the direction of the Dog Control Officer.
- (J) "Regional Board" or "Board" means the Board of the Sunshine Coast Regional District.
- (K) "Run at large" when used with reference to a dog or dogs means being elsewhere than on the premises of the owner or a person having the custody, care or control of any dog, and not being under the immediate charge and control of a responsible and competent person. In addition where a dog has been deemed vicious pursuant to this bylaw, "Run at large" shall also mean that while on the premises of the owner, said dog is not being contained in a dwelling house or an enclosed pen or other structure capable of preventing the entry of young children and adequately constructed to prevent the vicious dog from escaping.
- (L) "Sunshine Coast Regional District" means the Sunshine Coast Regional District as described in Letters Patent or subsequent amendments thereto, incorporating said Regional District excluding thereout the Corporation of the District of Sechelt, the Corporation of the Town of Gibsons and Electoral Area "A".
- (M) "Treasurer" means the Treasurer of the Sunshine Coast Regional District.
- (N) "Unlicensed dog" means a dog over the age of 6 months for which the license for the current year has not been paid as provided for herein, or to any dog that the tag provided for herein is not attached.
- (O) "Unspayed or un-neutered": A dog shall be deemed to be unspayed or un-neutered unless a certificate of spaying or neutering for such dog issued by a qualified veterinarian is presented to the Dog Control Officer or Pound Keeper.

- (P) "Vicious Dog" means:
- i) any dog with a known propensity, tendency or disposition to attack without provocation other domestic animals or humans; or
 - ii) any dog which has bitten or killed another domestic animal or human without provocation; or
 - iii) a dog which attacks or aggressively pursues a person or domestic animal.
 - iv) a Pit Bull Terrier, American Pit Bull Terrier, Pit Bull, Staffordshire Bull Terrier, American Staffordshire Terrier or any dog of mixed breeding, which includes any of the aforementioned breeds.

SECTION II - LICENSING OF DOGS

2. No person shall own, keep, harbour or have in his possession any dog unless a license therefore, under this bylaw, has first been obtained.
3. The owner of every dog shall, annually on or before the 31st day of January in each year, or as soon thereafter as such dog attains the age of three (3) months, shall ensure the dog is registered, numbered, described and licensed in the office of the Regional District, or office designated by the Regional District, and shall ensure the dog wears around its neck a collar to which shall be attached the tag referred to in Section 8 of this bylaw.
4. The license shall be issued by the Treasurer and applications for licenses may be made to him/her, or to any other person duly authorized to receive same. Every license shall be distinguished by a number and a record shall be kept by the Treasurer of all licenses issued and for the purpose of identification a general description of the dog in respect of which such license was issued.
5. A non-resident who is the owner of a dog shall at the expiry of thirty (30) days residency within the Regional District cause that said dog be registered, numbered, described and licensed as outlined in Section 4 herein.
6. Every application for a license shall be accompanied by a license fee payable to the Treasurer as set out in Schedule "A" of this Bylaw.
7. Nothing contained in this Bylaw shall be construed to apply to a Guide Dog for which a valid and subsisting certificate has been issued under the "Guide Animal Act, RSBC, 1990 C49". A license shall be issued free of charge to such a dog.

8. For each license issued under this bylaw a tag shall be issued having raised or stamped thereon "Sunshine Coast Regional District" or "S.C.R.D.", the license year and a number corresponding to the number under which the dog is registered in the records of the Sunshine Coast Regional District. The tag shall at all times be attached to the neck of the dog by a collar. No person other than its owner shall remove any collar, harness, or tag from any licensed dog.
9. The licence issued is valid only for the dog to which it was issued
10. Before issuing a Dog Licence and corresponding Dog Tag for a spayed female or a neutered male dog, the Dog Control Officer or his duly authorized representative may require a certificate of spaying or neutering for such a dog, by a qualified veterinarian.

SECTION III - CONTROL OF DOGS

11. No person shall allow a dog to run at large within the Sunshine Coast Regional District unless it is on a leash of two (2) meters or less in length.
12. No owner shall permit any female dog in heat (estrus) to be in any place other than a building, cage, fenced-in area, or other place from which the female dog cannot escape.
13.
 - i) No person who owns, possesses or harbours a vicious dog shall permit, suffer or allow the vicious dog to be on any highway or in any other place that is not owned or controlled by that person unless the vicious dog is effectively muzzled to prevent it from biting another animal or a human.
 - ii) Every person who owns, possesses or harbours a vicious dog shall, at all times while the vicious dog is on the premises owned or controlled by such person, keep the vicious dog securely confined either indoors or in an enclosed pen or other structure capable of preventing the entry of young children and adequately constructed to prevent the vicious dog from escaping.
 - iii) Any owner of a vicious dog must advise the Dog Control Officer within one (1) week of any change of address within the S.C.R.D. which involves the relocation of the vicious dog.

SECTION IV - IMPOUNDING OF DOGS

14. The Regional Board shall, from time to time as may be required, appoint a Poundkeeper and hire an assistant or assistants as deemed necessary and the Regional Board may enter into a contract or agreement with any persons to provide for such poundkeeping services.

15. It shall be lawful for the Dog Control Officer to capture and impound any dog running at large in the Sunshine Coast Regional District. No person shall hinder, delay or obstruct the Dog Control Officer, or any person or persons lawfully engaged in capturing or conveying any dog to the Pound.
16. The owner of an impounded dog shall be entitled to redeem the same within seventy-two (72) hours of impoundment as follows:
 - (a) In the case of a licenced dog wearing a tag, notification may be sent to the person at the address shown on the license application form or by telephone notification where the telephone number of the owner is known; and
 - (b) In the case of an unlicenced dog or a dog without a tag, by posting a notice of impoundment with a description of the dog impounded on the window at the main entrance to the Regional District office.
17. It shall be lawful for the Dog Control Officer to dispose, of any animal not redeemed within seventy-two hours of impoundment.
18. The Dog Control Officer may receive any dog delivered to him which has been seized or impounded pursuant to the provisions of this bylaw, and he may retain such dog and deal with the same in the manner as other dogs seized, received and retained by him, pursuant to this bylaw.
19. The Dog Control Officer or Poundkeeper shall provide and supply shelter, food and water daily to all impounded dogs.
20. The owner of any impounded dog may redeem the same upon proving ownership thereof and paying to the Dog Control Officer or Poundkeeper any unpaid or overdue license fees, plus impoundment fees, plus maintenance fees as set out in Schedule "A".
- 20.a Where the ownership of an impounded dog can be proven, the owner shall be responsible for all expenses incurred for licencing, impounding, boarding or euthanasia of their dog until the dog is claimed, adopted or euthanised.
21. The Dog Control Officer shall maintain proper records of all monies received by him pursuant to the provisions of this bylaw and shall, at least once in every month pay over to the Treasurer the monies so received pursuant to the provisions of this bylaw.
22. All license fees collected pursuant to the provisions of this bylaw and all fines, penalties and forfeitures imposed for the violation of any of the provisions hereof shall be paid into the Treasurer to the credit of the Regional District.

23. It shall be the duty of the Treasurer to furnish to the Dog Control Officer a book or other forms in which he shall record the description of every dog impounded by him, the name of the person who took or sent the same to be impounded (if any), the day and hour on which it was received, redeemed, or sold and the amount of charges paid by, and the name of the person redeeming and the proceeds of the sale (if any made) or the other disposal of the dog; and the Dog Control Officer shall on or before the first day of each and every month, make a return in writing to the Treasurer, giving the number and description of all dogs received by him during the preceding month with the several particulars herein before required to be entered in such book and other information the Treasurer may deem necessary; such return shall be in the form prescribed by the Treasurer.
24. The Dog Control Officer may, where he has reason to believe that a dog, for which the license for the current year has not been paid, or that a dog not bearing the collar and tag as provided in Section 2 and Section 3 of this bylaw, has taken refuge on any premises, request the occupant of such premises to satisfy him that such license has been paid and to exhibit such tag or to forthwith deliver to him such dog; and where any dog is found to be on any such premises as aforesaid, any person, who fails or refuses to exhibit such license receipt and tag, or who fails, neglects, or refuses to deliver such dog on request, and who resists or interferes with such Dog Control Officer in seizing such dog, shall be deemed to be guilty of an infraction of this bylaw, and shall be subject, upon conviction, to the penalties herein provided.
25. It shall be unlawful for any person to release or rescue or to attempt to release or rescue any dog lawfully in the custody of the Dog Control Officer, or Poundkeeper as herein provided, and no person shall intervene or otherwise interfere with the Dog Control Officer in the lawful exercise of his duties.
- 25.a The Sunshine Coast Regional District Board or their designates may waive certain fees at their discretion.
26.
 - (a) No owner shall allow any dog, by its barks, bays, cries, or other noises to unduly disturb the peace, quiet, rest or tranquillity of others.
 - (b) No person, being the owner or occupier of a parcel of land, shall cause or permit the keeping or harbouring, of more than three (3) dogs in total on a parcel of land, except where a kennel is operated in compliance with all Regional District bylaws.

SECTION V - PENALTIES

27.
 - (a) Every person who offends against or violates any of the provisions of this bylaw or who suffers or permits anything to be done in contravention or violation of any of the provisions of this bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this bylaw, shall be deemed to have committed an offence under this bylaw

and, upon conviction thereof before a Judge having jurisdiction, shall be liable to a fine not exceeding two thousand dollars (\$2,000.00).

(b) Each day that a violation of the provisions of this bylaw exists or is permitted to exist shall constitute a separate offence.

28. If any section, subsection or clause of this Bylaw is held by a Court of competent jurisdiction to be invalid, it shall be severed and the remainder shall be deemed to be valid as if adopted without the invalid section, subsection or clause.

29. Every person who commits an offence against Section III, Paragraph 13 (subsection i) or ii) or iii) of this bylaw is liable to a fine and penalty of not more than \$2,000.00 for each offence, and in default of payment thereof, or in the alternative, to imprisonment for any period not exceeding two months.

SECTION VI - RIGHT OF ENTRY

30. (a) "The Dog Control Officer is authorized to enter at all reasonable times upon any property within the Sunshine Coast Regional District in order to ascertain whether the regulations under this Bylaw are being obeyed."

SECTION VII - CITATION

31. This bylaw may be cited for all purposes as "Sunshine Coast Regional District Dog Regulation and Impounding Bylaw No. 376, 1994".

SECTION VIII - REPEAL

32. "Sunshine Coast Regional District Dog Regulation and Impounding Bylaw No. 314, 1987", is hereby repealed.

Sunshine Coast Regional District Bylaw No. 376

SCHEDULE "A"

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1. LICENSE FEES

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| (A) | For every dog except as noted below | \$25.00 |
| (B) | For every unspayed or unneutered dog | \$50.00 |
| (C) | A dog having a valid license for the current year issued in the Province of British Columbia. | \$10.00 |
| (D) | Replacement of lost tag. | \$10.00 |
| (E) | Should license fees not be paid by the 31st day of January of the licensing year, then the owner of any dog not so licensed shall pay 2 (two) times the fees set out above. | |
| (F) | The required licence fee shall be reduced by 25% when verification is provided that the owner of the dog is a senior citizen. | |

2. IMPOUNDMENT FEES

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| (A) | For every dog except as noted below, impoundment fees as follows: | |
| (i) | first impoundment in one calendar year | \$60.00 plus board |
| (ii) | second impoundment in one calendar year | \$120.00 plus board |
| (iii) | third impoundment in one calendar year | \$240.00 plus board |
| (iv) | each additional impound in one calendar year | \$300.00 plus board |

2. Impoundment fees, cont.

(B) notwithstanding (A) above, an impoundment fee of a vicious dog regardless of whether the vicious dog is licensed or unlicensed.

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| (i) | first impoundment | \$250.00 plus board |
| (ii) | second impoundment | \$500.00 plus board |
| (iii) | third impoundment | \$1000.00 plus board |
| (iv) | each additional impound | \$1500.00 plus board |

(v) this schedule of impounding fees for vicious dogs shall be cumulative over time and not follow the calendar year.

(vi) notwithstanding (A) and (B) above, where a vicious dog has caused injury to a person or domestic animal the Dog Control Officer may detain the dog pending a hearing under Section 49(10) of the *Community Charter* to seek an order to have the dog humanely destroyed. If the order is not granted, the dog may be redeemed by the owner upon payment of the impound fee PLUS all extraordinary costs incurred in the course of impounding the dog, payable at the time of reclamation.

(C) Board fees pre day or part thereof for the time such dog was impounded. \$20.00

3. For the purpose of this bylaw a "senior citizen" is any person of the proven age of not less than sixty five (65) years.