

CORPORATION OF THE VILLAGE OF ZEBALLOS

BY-LAW No. 379-00

BEING A BYLAW TO LICENCE AND REGULATE DOGS WITHIN THE MUNICIPALITY

WHEREAS is deemed expedient to regulate the keeping of dogs within the Village of Zeballos and to provide for the fixing, imposing and collecting of license fees from and the issuance of licenses to a person who owns, possesses or harbours a dog.

The Council of the Village of Zeballos, in open meeting assembled, pursuant to the powers vested in it by Part 22, Division 1 of the *Local Government Act*, R.S.B.C.1996, c.323, as amended, ENACTS AS FOLLOW:

1.0 Short Title

This Bylaw may be cited for all purposes as "Zeballos Dog Responsibility Bylaw No. 379-00."

2.0 Definitions – in this Bylaw unless the context otherwise requires:

2.1 Animal Control Officer means

a) a municipal employee, officer or agent designated by the council as an animal control officer, or

b) a peace officer

2.2 Animal Shelter means the place or places as designated by Council to provide for the care, control and destruction of animals, and should meet the standards as set down by the B.C.S.P.C.A.

2.3 Council means the Council of the Village of Zeballos

2.4 Dangerous Dog means a dog which meets any one or more of the following conditions:

a) a dog that has attacked, bitten or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;

b) an animal control officer has reasonable grounds to believe that the dog is a dangerous dog;

c) a dog that, while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog, has killed or has aggressively pursued or harassed a companion animal or a domestic animal;

- 2.4 Dog** means an animal of the canine species, irrespective of sex or age
- 2.5 Enclosure** means a fence or structure forming an enclosure suitable to prevent the entry of young children, and suitable to confine a dangerous dog in conjunction with other measures which may be taken by the owner, possessor or harbourer, such as tethering of the dangerous dog. The enclosure must be securely enclosed and locked and must be designed to prevent the animal from escaping from the enclosure
- 2.6 Harbourer** means a person or persons who gives shelter to, feeds or keeps an animal
- 2.7 Highway** means any street, road, avenue, lane, crescent, bridge, alley, viaduct, sidewalk, public parking area, boulevard or any other way open to the public or intended to be open to the public.
- 2.8 Owner of Record** means the person or persons shown as the licensed owner on the Village record.
- 2.9 Possessor** means a person or persons who owns or who gives shelter or has an animal in his/her keeping.
- 2.10 Public Place** means a place which is owned or controlled by a public body and which is open to the public
- 2.11 Running at Large** means an animal not under control by being other than:
on the property of its Owner or of another person who has the care and control of the animal, or
attached directly to a person who is competent to, and of sufficient strength to ensure that the animal cannot break free from the leash, or other device, used to restrain and/or guide the animal; or
securely confined within an enclosure; or
securely fastened so that it is unable to roam beyond the confines of the owner's, possessor's or harbourer's property.
- 2.12 Seize** includes impound and detain
- 2.13 Unlicensed dog** means a dog for which the license for the current year has not been paid, or to which the tag required by this Bylaw is not attached.

3. Dog Licenses

- 3.1 **Valid Licence** –No person shall own, possess or harbour any dog within the boundaries of the Village unless a valid and subsisting license has been issued under this Bylaw for such dog.
- 3.2 **Age of Licencee** - No license shall be issued under this Bylaw in respect of any animal to any person under the age of nineteen (19) years, unless and until such person provides the Animal Control Officer with written consent, in the prescribed form, of his or her parent or guardian; and any parent or guardian providing a written consent under this section, shall be for the purposes of this Bylaw, deemed to be the owner of the animal in respect of whom the Licence was issued.
- 3.3 **Period of Licence** - All Village of Zeballos Dog Licenses shall be for the period January 1st to December 31st of the year issued or the remaining portion thereof.
- 3.4 **Dog Licence Displayed** - Every person who is issued a Dog License under this Bylaw shall receive a Dog Licence Tag which shall at all times, be fastened to a collar or harness worn by the dog for which the License was issued.
- 3.5 **Dog Licence Specific** - Every License issued under this Bylaw shall be for a specific animal, and no person shall place, affix or use a License issued in respect of one animal on or for another animal.
- 3.6 **Replacement Licences** - A replacement Dog License may be issued, upon providing reasonable proof that the original license issued has been lost, and upon payment of the fee shown in the attached Schedule "A".
- 3.7 **Form of Licence** - All Dog Licenses issued shall have included a description of the property, if different from the owner's residence, upon which the animal will be kept, and a description of the dog including name, breed, sex and age.
- 3.8 **Fee** - The fees to be paid prior to issuing a Dog Licence shall be those shown in the attached Schedule "A".

4.0 Impoundment

- 4.1 **Running at Large** - No owner, possessor or harbourer of a dog shall allow the dog to run at large.
- 4.2 **Impounding** - Any dog running at large or violating any portion of this Bylaw may be impounded.
- 4.3 **Release** - No dog shall be released from impoundment until all provisions of this Bylaw are complied with and all fees, board costs, damage costs, and/or fines are paid.

- 4.4 Time** - All impounded animals shall be retained for a period of seventy-two (72) hours, excluding Sundays and statutory holidays, from time of impoundment, or until released to the owner of record and Section 4.3 herein has been complied with to the Animal Control Officer's satisfaction, whichever is the shorter period.
- 4.5 Unclaimed Animals** - The Animal Control Officer or other authorized agent of the Village is empowered to destroy all impounded animals, in a humane and aesthetically acceptable manner, that are unclaimed after seventy-two (72) hours of impoundment, excluding Sundays and statutory holidays.
- 4.6 Diseased, Suffering or Vicious Animal** - Notwithstanding 4.4 above, an animal may be destroyed immediately upon receipt if it is diseased, suffering or vicious and this is verified either by a veterinarian or the Animal Control Officer.
- 4.7 Sale of Impounded Animals** - All impounded animals are eligible for sale seventy-two (72) hours after impoundment subject to 4.3 above, excluding Sundays and holidays.
- 4.8 Responsibility for Uncollected Fees or Costs** - The owner of record shall be held responsible for all uncollected fees or costs in respect of an impounded animal whether or not he/she effects the release of the animal, and boarding costs shall be those shown in the attached Schedule "A".

5.0 Excrement

- 5.1 Only on Owner's Property** - No dog shall be permitted to excrete on other than his owner's, possessor's or harbourer's property.
- 5.2 Removal of Dog Waste - Other Property** - The owner, possessor or harbourer of a dog shall remove, forthwith, any excrement deposited by said dog, on other than the owner's, possessor's or harbourer's property.
- 5.3 Removal of Dog Waste - Own Property** - The owner, possessor or harbourer of a dog shall not permit dog excrement to accumulate in such a manner as to be offensive to smell or unsanitary. Dog Excrement shall be regularly disposed of in a manner approved by the Medical Health Officer.

6.0 Dangerous Dogs

- 6.1 Confine, Secure or Muzzle** - Upon learning that a dog attacked or viciously pursued a person or domestic animal, the owner, possessor or harbourer of such dog shall confine the dog in a building or secure enclosure and shall muzzle the dog whenever it is off the owner's, possessor's or harbourer's premises.

6.2 Destruction of Vicious Dog - If an owner, possessor or harbourer permits a dog to be in contravention of Section 6.1 above, said dog which attacks or viciously pursues a person or domestic animal shall be subject to the impoundment provisions of this Bylaw, and a judge of the Provincial Court of B.C. may, upon being satisfied that the dog has killed or injured, or is likely to kill or injure a person or a domestic animal, order that the dog be killed or released to a new owner.

6.3 Guard Dog - Any guard dog must be kept within a well-fenced area or be chained to a secure stake.

7.0 Records and Fees

7.1 Keeping of Records - The Animal Control Officer shall, subject to the requirements of the Village, keep such records as may be required.

7.2 Receipt of Fees - All fees required to be paid by any person pursuant to this Bylaw shall be paid to the Animal Control Officer or to the Village Office.

8.0 Offences and Penalties

8.1 Infractions - Any person who contravenes any provision of this Bylaw commits an offence.

8.2 Responsibility - For the purposes of proceedings under this Bylaw, a person shall be deemed to be the owner, possessor or harbourer, or person otherwise responsible for any infraction of any provisions of this Bylaw, in the absence of any evidence to the contrary.

9.0 Schedules

9.1 Schedule "A" of this bylaw form part of this Bylaw and are enforceable in the same manner as this Bylaw.

10.0 Repeal

10.1 Bylaws Numbered 361-99, 352-98, 237 -1985 and 196-1983 are hereby repealed.

PASSED FIRST AND SECOND READING on the 20th day July, 2000.


PASSED THIRD READING on the 15th day of August, 2000.

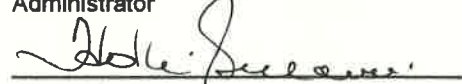
RECONSIDERED AND FINALLY ADOPTED on the 21st day of August, 2000.

Certified a true and correct copy of "Zeballos Dog Responsibility Bylaw 379-00"



Mayor



Administrator


Administrator