

**REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT**

**BYLAW NO. R1014**

**A BYLAW FOR THE REGULATION OF ANIMALS IN  
ELECTORAL AREA "D" (SPROAT LAKE)**

**WHEREAS** the Regional District may, pursuant to Sections 703, 707 and 707.1 of the Local Government Act, regulate the keeping and control of dogs and regulate in relation to dangerous dogs;

**AND WHEREAS** the Board has enacted a "Bylaw to Establish a Regulatory Service Within a Portion of Electoral Area "D" (Sproat Lake) for the Regulation of Animals";

**NOW THEREFORE**, the Regional District, in open meeting assembled, enacts the following:

**1. CITATION**

This Bylaw may be cited for all purposes as the Animal Regulation Bylaw, 2004, No. R1014;

This Bylaw shall apply within a part of Electoral Area "D" (Sproat Lake), as identified on the map attached to and forming part of this Bylaw as Schedule "A".

**2. DEFINITIONS**

In this Bylaw, unless the context otherwise requires:

- (a) **"animal control officer"** means:
  - (i) a regional district employee, officer or agent designated by the Board as an animal control officer for the purposes of this section, or
  - (ii) a peace officer;
- (b) **"Board"** means the Board of the Alberni-Clayoquot Regional District;
- (c) **"companion animal"** means an animal kept as a pet or as a guide animal;
- (d) **"dangerous dog"** means a dog that:
  - (i) has killed or seriously injured a person,
  - (ii) an animal control officer has reasonable grounds to believe is likely to kill or seriously injure a person, or

- (iii) 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 seriously injured a companion animal or a domestic animal;
- (e) **“dog”** means any animal of the canine species;
- (f) **“domestic animal”** means a domestic animal as defined in the Livestock Protection Act;
- (g) **“highway”** includes any street, road, lane, bridge viaduct, and any other way open to the public;
- (h) **“impounded”** means seized, detained, delivered, received or taken into the Pound or in the custody of the Animal Control Officer, as provided herein;
- (i) **“at large”** means being on a highway, public place or land which is not owned or occupied by the owner of the animal. For the purpose of this Bylaw, an animal shall not be deemed to be “running at large” if it is:
  - (i) on property of its owner or of another person who has the care and control of the animal, or
  - (ii) under the direct and continuous control of a person who is competent to control it, or
  - (iii) securely fastened so that it is unable to roam;
- (j) **“seize”** means to impound or detain.

### **3. CONTROL AND IMPOUNDING OF ANIMALS**

- 3.1 The authority to seize, impound and detain animals including dogs and domestic animals conferred by this Bylaw upon the Animal Control Officer may be exercised by a Bylaw Enforcement Officer, Peace Officer or any other person designated as an Animal Control Officer by the Board.
- 3.2 The Animal Control Officer is hereby authorized to seize, impound and detain dogs which are running at large as defined in Section 1(i) of this Bylaw and dangerous dogs as defined in Section 1(d) of this Bylaw.
- 3.3 The owner of any animal impounded pursuant to the provisions of this Bylaw may reclaim such animal on application to the Animal Control Officer during normal working hours prior to the animals sale or destruction on proof of ownership and on payment of the fees and charges prescribed in Schedule ‘B’ attached hereto and forming part of this Bylaw.

- 3.4 The Animal Control Officer may destroy any dog which has been found running at large and which, upon examination by a licenced veterinarian, is found to be suffering from an acute or incurable disease or injury.
- 3.5 Subject to Subsection 3.6 of this Bylaw, if an impounded animal is not claimed and the fees, fines and other charges are not paid within ninety-six (96) hours of the time of its impoundment, the Animal Control Officer may destroy the animal or sell it.
- 3.6 If the Animal Control Officer intends to sell a dog which has been impounded he may do so in his sole discretion, provided that he has notified the owner if the identity of the owner is known to the Animal Control Officer, or that he has advertised in a locally distributed newspaper the fact that the dog has been impounded and will be offered for sale. The proceeds of the sale of such impounded dogs, after deduction of impoundment fees and advertising costs, shall be returned to the owner; however, if the owner cannot be found within ninety (90) days of the time of the impoundment, the proceeds shall be deposited to the credit of the Regional District's general revenue account.
- 3.7 No person shall allow his or her dog to bite, attack, terrorize or endanger a person or animal.
- 3.8 Every owner of a dangerous dog must, at all times while the dog is on the premises owned or controlled by such person, keep the dog securely confined either indoors or in an enclosed pen or other structure capable of preventing entry of children and adequately constructed to prevent the dog from escaping.
- 3.9 No person shall cause, suffer or permit any dangerous dog owned by him or her to be on any highway or in any public place, unless the dangerous dog is firmly held on a leash that does not exceed 2.44 metres (8 feet) in length by a person competent to refrain the dog and which dog is muzzled by a proper fitted and humane device.
- 3.10 No person shall cause, suffer or permit any dangerous dog owned by him or her to be on any private lands and premises without the consent of the occupier of such lands and premises and when on such lands and premises the dangerous dog must be confined as set out in Section 3.8, or leashed and muzzled as set out in Section 3.9.
- 3.11 The owner of a dangerous dog must display at each entrance to the property and building in or upon which the dog is kept a sign substantially in the form of Schedule "C" attached to and forming part of this Bylaw, which sign must be posted so that it cannot be removed easily by passers by and will be visible and capable of being read from the sidewalk, street or lane abutting the entrance to the property or building.

- 3.12 No person shall deface or remove a sign required to be posted under this Section.
- 3.13 The owner of a dangerous dog shall;
- (a) within two working days of selling or giving away a dog, provide the Animal Control Officer with the name, address and telephone number of the new owner;
  - (b) advise the Animal Control Officer within two days of the death of the dog and provide a Veterinarian's certificate of death; and
  - (c) advise the Animal Control Officer forthwith if the dog is loose or has bitten or attacked any person or domestic animal.
- 3.14 The Animal Control Officer, Agent or Pound Keeper may impound any dangerous dog found to be in a place or circumstances prohibited by this Section.
- 3.15 No owner of an animal shall suffer or permit such animal to "run at large" as defined in Section 1(i) of this Bylaw.
- 3.16 No person shall own, keep or harbor a dangerous dog as defined in Section 1(d) except as provided for in this Bylaw.
- 3.17 The owner or other person who has care and control of a dog shall immediately notify the Animal Control Officer if a dog is involved in an incident described in Section 1(d) of this Bylaw.

#### **4. ESTABLISHMENT OF POUNDS**

- 4.1 The Board authorizes:
- (a) the establishment, maintenance and operation of facilities for the impoundment of dogs and domestic animals in such locations and within such premises as the Board may from time to time direct by resolution;
  - (b) the appointment, by resolution of a pound keeper, to maintain and operate a pound established under this Bylaw;
  - (c) entering into an agreement with a person, business or society for the purpose of maintaining and operating a pound.

- 4.2 A pound keeper under this Bylaw shall impound and detain all dogs and domestic animals delivered to him and shall furnish them with reasonable food, water, shelter and care.

**5. PENALTY**

- 5.1 No person shall do any act or suffer or permit any act or thing to be done in contravention of this Bylaw.
- 5.2 Notwithstanding any other provisions of this Bylaw, where the Animal Control Officer, has reasonable grounds to believe that any person is not complying with any provision of this Bylaw, he may give a written or verbal warning.
- 5.3 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon conviction to the penalties prescribed by the Offence Act, provided that the minimum penalty is not less than fifty dollars (\$50.00) for a first offense, and for each subsequent offense to a minimum penalty of not less than one hundred dollars (\$100.00).
- 5.4 A separate offence shall be deemed to be committed upon each day during and in which a contravention of this Bylaw occurs or continues.

**6. SEVERANCE**

If a Section, Subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

**7. SCHEDULES**

Schedules "A" to "C" inclusive are attached hereto and form part of this Bylaw.

**8. TITLE**

This Bylaw may be cited as the "Regulation of Animals Within Electoral "D" (Sproat Lake) Bylaw No. R1014, 2004".

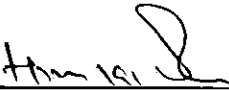
9. This Bylaw shall come into force and take effect on and after the date of final passing hereof.

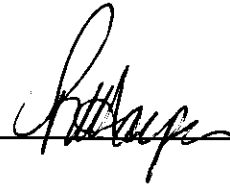
Read a first time this 25<sup>th</sup> day of February, 2004.

Read a second time this 25<sup>th</sup> day of February, 2004.

Read a third time this 25<sup>th</sup> day of February, 2004.

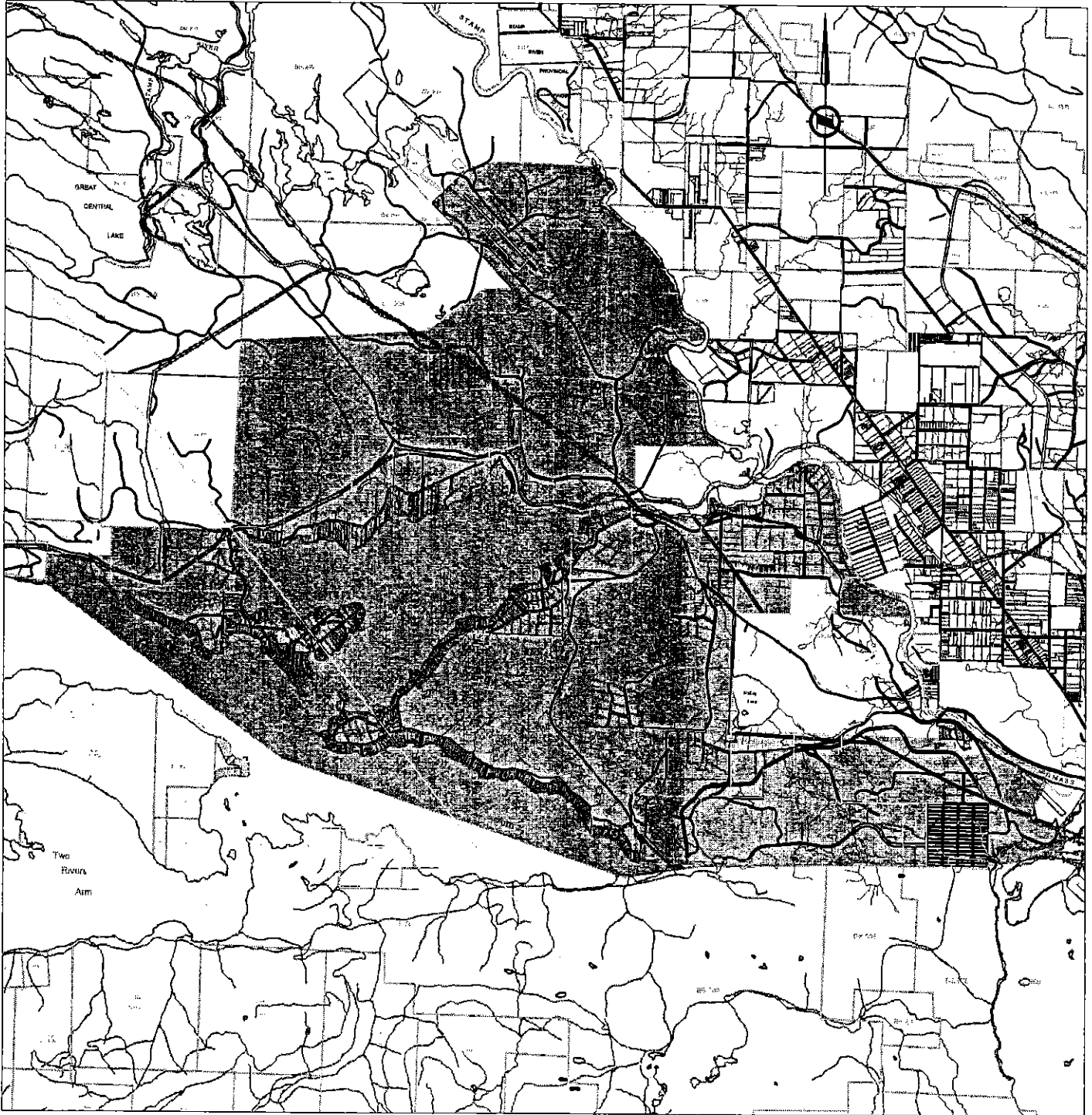
ADOPTED this 25<sup>th</sup> day of Febuary, 2004.

  
\_\_\_\_\_  
Hira Copra  
Chairperson

  
\_\_\_\_\_  
Robert Harper  
Secretary-Treasurer

# Schedule 'A'

This schedule is attached to and forms part of Bylaw R1014 (Animal Control Bylaw)



ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT

1:75000



# Schedule 'B'

This Schedule is attached to and forms part of Bylaw R1014 (Animal Control Bylaw)

## IMPOUNDMENT FEES

### DOGS

- |    |   |          |
|----|---|----------|
| 1. | First impoundment fee   | \$ 30.00 |
| 2. | Second impoundment and each successive impoundment within six (6) months of the preceding impoundment | \$ 50.00 |

In addition to the foregoing impoundment fees, the owner redeeming the dog from the impoundment shall pay for each twenty-four (24) hour period or less that the dog is impounded a maintenance fee of:

- |     |     |         |
|-----|-----|---------|
| (a) | Dog | \$ 6.00 |
|-----|-----|---------|



ALBERNI-CLAYOQUOT  
REGIONAL DISTRICT



# Schedule 'C'

This schedule is attached to and forms part  
of Bylaw R1014 (Animal Control Bylaw)

Dangerous Dog Sign



**WARNING**  
**DANGEROUS DOG ON PREMISES**