



INFORMATION SHEET

NEW ANIMAL REGULATION & IMPOUNDING BYLAW

November 21, 2015

Overview BC SPCA outreach officers have been approaching local governments across BC asking for amendments to be made to local bylaws to include standards for animal welfare including provisions related to animal cruelty, basic animal care, outdoor shelter requirements, sanitation requirements, standards related to tethering of animals for long periods of time, and confining animals in motor vehicles without adequate ventilation to prevent the animal from suffering distress, discomfort or heat related injuries.

In response, the City established an ad hoc committee (consisting of representatives from the BC SPCA, Coastal Animal Services (the City's poundkeeper) and the City's Corporate Services staff) to draft a new Animal Regulation and Impounding Bylaw based on other local government bylaws (where standards of care for animals have been included) as well as the SPCA's Model Animal Responsibility Bylaw. Highlights of the new bylaw are listed below:

Pets are a welcome addition to families and add to the enjoyment of day to day life. The new Animal Regulation and Impounding bylaw strives to promote responsible pet ownership and to protect people and pets.

Major Highlights

Licenses

The fee for neutered male dogs and spayed female dogs remains unchanged at \$16.00 per year (if paid by January 31st) and \$26.00 (after January 31st).

Unneutered male or unspayed female dog license fees will also remain unchanged at \$35.00 (if paid by January 31st) and \$50.00 (after January 31st).

NEW - licencing of dogs deemed aggressive will now be \$200.00 (if paid by January 31st) and \$340.00 (if paid after January 31st).

Note: A dog is deemed aggressive if an Animal Control Officer has designated the dog as an aggressive dog because it has either: 1) bitten a human or animal without provocation; or 2) has a known propensity, tendency or disposition to attack a human or animal without provocation; or 3) has been previously designated an aggressive dog and endangers the safety of a human or animal.

Seizure & Impoundment Fees

Seizure and impoundment fees for a licensed dog (other than an aggressive dog) remain unchanged at \$50.00 (1st offence); \$75.00 (2nd offence) and \$100.00 (3rd offence).

NEW - seizure and impoundment fees for an unlicensed dog \$100.00 (1st offence); \$150.00 (2nd offence) and \$200.00 (3rd offence).

NEW - seizure and impoundment fee for a spayed or neutered cat - \$25.00.

NEW - seizure and impoundment fee for an unsterilized cat - \$100.00. Upon proof of sterilization within 30 days of the impoundment date, the owner will be refunded \$75.00.

Limit on Number of Companion Animals

Limit on the number of dogs per lot remains unchanged at three (3).

NEW - no person shall keep, or allow to be kept on any lot more than six (6) companion animals consisting of not more than three (3) dogs over the age of eight (8) weeks and not more than five (5) cats over the age of twelve (12) weeks. Fines for keeping more than the maximum number of companion animals are \$100.00 per occurrence.

Prohibited Animals:

NEW - No person will be allowed to breed, possess, ship, release, exhibit for entertainment, or display in public, either on a temporary or permanent basis, any prohibited animal identified in the *BC Wildlife Act's* Controlled Alien Species Regulation or a Wolf-Dog or Wolf-Dog Hybrid. Fines for these bylaw infractions range from \$200.00 - \$475.00 depending on the violation.

Animal Cruelty:

NEW - no person shall abandon, torment, beat, poison, kick, provoke, or use air pellet guns, bows and arrows, firearms, sling shots and the like on any animal, train or allow an animal to fight, or allow an animal to suffer. Fines for these bylaw infractions will be \$475.00 per occurrence.

Basic Animal Care Requirements:

NEW - animals must be provided with sufficient clean drinking water, suitable food of sufficient quantity and quality to allow for normal growth, clean and disinfected food and water receptacles to avoid contamination by excreta, regular exercise to maintain good health and necessary veterinary care when the animal exhibits signs of pain, injury, illness or suffering. Fines for these bylaw infractions will be \$475.00 per occurrence.

Outdoor Shelter Requirements:

NEW - A person must not keep an animal outside unless the animal is provided with shelter that provides: protection from heat, cold and wet that is appropriate to the animal's weight and type of coat; sufficient space to allow the animal the ability to turn around freely and to easily stand, sit and lie in a normal position; protection from direct rays of the sun at all times; and bedding that will assist with maintaining normal body temperature. Fines for these bylaw infractions will be \$150.00 per occurrence.

Sanitation Requirements:

NEW - A person must not keep an animal in a shelter, pen, cage, or run unless it is regularly cleaned and sanitized and all excreta removed and properly disposed of at least once a day. Fines for this bylaw infraction will be \$100.00 per occurrence.

Tying Animals:

NEW - a person must not allow an animal to be: tethered to a fixed object or vehicle where a choke collar forms part of the securing apparatus; or where a rope, cord, or chain is tied directly to the dog's neck; or the collar is not properly fitted, or attached in a manner that could injure the dog; tethered to a fixed object for longer than 2 hours within a 24 hour period; tethered to a traffic control device, fire hydrant or any other object in such a way as to obstruct the public or create a nuisance; or tethered within 3 metres of an entrance or exit from any public building. Fines for these infractions will be \$150.00 per occurrence.

Note: tethering should not be a primary means of confinement for an animal for an extended period of time. Keeping the animals indoors is preferred but if this is not possible (i.e. someone who does not have a fenced yard) the SPCA recommends that the animal be kept in a free standing kennel. Tethered animals also run the risk of being approached by toddlers where the animal may display aggression.

Transport of Animals in Motor Vehicles:

NEW - no person may transport any animals in a motor vehicle in an uncovered passenger compartment unless the animal is adequately confined in a pen or a cage which is securely fastened to the vehicle, or in a body harness to prevent the animal from jumping or falling off the vehicle or otherwise injuring itself. Fines for this infraction will be \$150.00 per occurrence.

Note: Section 72 of the Motor Vehicle Act also stipulates that animals must be secured in order to protect the animal from falling or being thrown from a vehicle.

NEW - no person shall keep an animal confined in an enclosure, including a motor vehicle, without adequate ventilation to prevent the animal from suffering distress, discomfort or heat related injury. Such enclosed space or vehicle if stationary, shall be in an area providing sufficient shade to protect the animal from direct rays of the sun at all times, and such that the ambient temperature does not exceed 23 degrees Celsius and/or the animal is exhibiting signs of distress. Fines for this bylaw infraction will be \$475.00.

Note: a dog in distress is defined as excessively panting or drooling; the dog's tongue has turned a dark purple or grey which indicates the dog's internal temperature has risen to a dangerous degree; the dog is behaving frantically – pawing at the window, or trying to stick its nose out; loss of bowels; lethargic and unresponsive behaviour. Should a complaint come to the City's attention of an animal in distress, Bylaw Enforcement Officers would respond quickly to the vehicle in question and if it is confirmed that the animal is in distress and the owner cannot immediately be located, the SPCA and/or RCMP would be contacted to immediately rescue the animal. In addition to ticketing, a "cruelty to animals" investigation could also be started.

Exercising Dogs from a Motor Vehicle or Bicycle:

NEW - a person must not exercise a dog by allowing it to run next to a moving vehicle or a bicycle unless the dog is attached to the bicycle by an apparatus that allows the person to retain two-handed control of the bicycle at all times. Fines for this bylaw infraction will be \$100.00 - \$200.00 per occurrence.

Identification for the Keeping of Cats:

NEW - every owner of a cat shall affix, and keep affixed, sufficient identification on the cat by a collar, harness, traceable tattoo, microchip or other suitable device such that a person finding the cat at-large can identify and contact the owner. The fine for allowing a cat to run at-large without identification is \$50.00 per occurrence.

Note: identification of animals has been demonstrated to be important for the control of animal movement associated with disease control, prevention of theft, and the identification and recovery of strays, lost and stolen animals. There is evidence that identification has benefits for the animal, the owner and society at large. These benefits include:

- *Reuniting pets and owners;*
- *Reduction in the number of animals euthanized due to not being claimed by owners who cannot trace them;*
- *Reduction of stress to the individual owner whose animal may be displaced;*
- *Tracing owners of animals that have been injured or killed; and*
- *Detection of fraudulent activities such as misappropriation or misrepresentation.*

Aggressive Dogs:

Every owner of an aggressive dog must ensure that the dog is not on any street or in any public place, unless the dog is firmly held by a competent person and properly fitted with a humane basket muzzle.

A competent person is defined as a person of sufficient age, height and weight to ensure an animal under their control will be obedient to their commands or can be physically restrained if required.

Every owner of an aggressive dog must, at all times, keep the dog securely confined either indoors, or in a rear yard and inside a pen that is adequately constructed (as defined in the bylaw) to prevent the dog from escaping, locked to prevent casual entry by another person, and has been inspected and approved by an Animal Control Officer.

NEW - a person may only obtain a dog license for an aggressive dog if the dog has permanent identification in the form of a microchip, and the identification information is included in the license application.

NEW - the owner of an aggressive dog must, within one week of moving to a new residence, provide an Animal Control Officer with the owner's new address.

Fines associated with violations related to aggressive dogs range from \$300.00 - \$475.00 per occurrence.

Feeding Wildlife:

NEW - A person must not intentionally feed or leave food out for the purposes of feeding: deer, raccoons, squirrels, feral rabbits, or ownerless cats or cats without identification. Fines for feeding wildlife are \$100.00 per occurrence.

Next Steps: This INFORMATION SHEET will be included with the dog license renewal letter to be mailed out in November, 2015 to all registered dog owners. Copies will also be available at Coastal Animal Control, City Hall, and on the City's website. A press release advising of the new bylaw has also be distributed to the local paper, radio station, Shaw TV, and various on-line media distributors.

Who to Contact: For further information about the Animal Regulation and Impounding Bylaw please contact:
Karen Robertson
Phone 250.746-6126
karen@duncan.ca
www.duncan.ca