

THE CORPORATION OF THE VILLAGE OF KASLO

BYLAW NO. 1147 as amended. CONSOLIDATED 2022.03.08

**A BYLAW OF THE VILLAGE OF KASLO TO PROVIDE FOR THE
LICENSING AND CONTROL OF DOGS WITHIN THE MUNICIPALITY.**

WHEREAS Council deems it desirable to provide for the control and licensing of dogs within the Village of Kaslo;

NOW THEREFORE the Municipal Council of the Village of Kaslo in open meeting assembled, **ENACTS AS FOLLOWS:**

1.0 SHORT TITLE

This Bylaw may be cited for all purposes as the "Dog Control Bylaw No. 1147, 2013".

2.0 DEFINITIONS

Animal Control Officer	means a person appointed by Council to enforce and administer this Bylaw and also includes Royal Canadian Mounted Police Officers.
At Large	means (a) a Dog that is elsewhere than on the lands or premises of the Owner of the Dog and not under the immediate control of a person who is competent to manage the Dog, or on a Leash, or (b) not securely confined within an Enclosure when required by this Bylaw.
Council	means the Municipal Council of the Village of Kaslo.
Dangerous Dog	has the same meaning as defined in the <i>Community Charter</i> , as amended from time to time.
Dog	means a dog of the species canine that is over the age of four months, and includes a Dangerous Dog of any age.
Enclosure	means a fence or structure of at least two point four (2.4) metres (six (6) feet) in height forming a confined area suitable to prevent the entry of young children and suitable to confine the Dog enclosed.
Impounded	means seized, delivered, received or taken into the Pound or the custody of the Animal Control Officer.
Keep	means, upon a parcel of land, to bring, lodge, possess, harbor, board or feed on a regular basis.
Leash	means a chain or other material of sufficient strength that does not exceed two point four (2.4) metres [six (6) feet] in length and that is suitable for control of the Dog it is used for.
Licence	means a Licence issued for a Dog by the Municipality for the current Licence Year.
Licence Tag	means a metal apparatus, which includes a licence number, issued by the Municipality for the current Licence Year.
Licensed Dog	means a Dog that is wearing a Licence Tag either on its collar or harness.

Licence Year	means that time period between January 1st and December 31st inclusive, in each and every year.
Municipality	means the Village of Kaslo.
Muzzled	means a properly fitted humane device has been placed over the mouth of a Dog that prevents the Dog from biting a person or animal.
Own	means to own or Keep.
Owner	means any person who Owns or Keeps a Dog.
Pound	means the premises used to Keep and maintain Dogs pursuant to this Bylaw and includes any vehicle used by the Animal Control Officer to transport Dogs.
Unlicensed Dog	means a Dog which does not have affixed to a collar securely fastened about the Dog's neck, or to a harness securely fastened about the Dog, a Licence Tag issued for the current Licence Year under this Bylaw or a similar bylaw of any other local government.
Vicious Dog	means a Dog which has bitten or attacked, without provocation, a human or another Dog or animal.

3.0 POUND AND ANIMAL CONTROL OFFICER

3.1 The Council authorizes, by resolution:

- (a) the establishment, maintenance, operation and relocation of a Pound; and
- (b) the appointment of Animal Control Officers; and
- (c) the designation of an employee, officer or agent of the Municipality as an Animal Control Officer for the purposes of section 49 of the *Community Charter*.

3.2 The Animal Control Officer may impound and detain a Dog delivered to the Pound.

4.0 IMPOUNDMENT OF DOGS

4.1 An Animal Control Officer may seize and impound:

- (a) a Dog which is At Large;
- (b) an Unlicensed Dog;
- (c) a Dog that, in the opinion of the Animal Control Officer, is subject to suffering that cannot be reasonably addressed otherwise than by seizure and destruction; and
- (d) a Dog known to the Animal Control Officer to be a Vicious Dog.

4.2 An Impounded Dog may be released to its Owner only after the Owner has paid to the Municipality all fees prescribed and owing under section 4.8.

4.3 If an Impounded Dog is not claimed within ninety-six (96) hours of being Impounded or the fees in respect of an Impounded Dog are not paid within ninety-six (96) hours of the Dog being impounded, the Animal Control Officer may, on the expiration of this period, destroy, sell or otherwise dispose of the Dog.

- 4.4 The Animal Control Officer, upon receiving a certificate from a veterinarian that an Impounded Dog is suffering from an infectious or contagious disease, may immediately destroy that Impounded Dog.
- 4.5 The Animal Control Officer is authorized to destroy any Dog, who, in the opinion of the Animal Control Officer, is suffering and its suffering cannot otherwise be addressed reasonably.
- 4.6 A person must not:
- (a) break open a Pound, or in any manner directly or indirectly aid or assist in breaking open a Pound;
 - (b) enter a Pound without the Animal Control Officer's permission; or
 - (c) take or release an Impounded Dog without the Animal Control Officer's permission and without paying all fees, owing under this Bylaw in respect of the Impounded Dog.
- 4.7 A person must not hinder, delay, or obstruct the Animal Control Officer or any other person lawfully engaged in impounding a Dog or taking a Dog to the Pound for impounding.
- 4.8 The impoundment and maintenance fees required to be paid under section 4.2 are prescribed in Village of Kaslo Fees and Charges Bylaw No. 1249, 2020, as amended or replaced by successor legislation.

5.0 DOG LICENCES

- 5.1 No person may own an Unlicensed Dog in the Municipality except:
- (a) a Dog that is specifically trained and kept for the purpose of serving as a guide Dog by a person whose sight or hearing is impaired;
 - (b) a Dog certified by a recognized training establishment and used to assist persons with special needs; and
 - (c) a Dog owned by and actively working for a police force having jurisdiction in British Columbia.
- 5.2 Immediately upon becoming the Owner of a Dog, other than a Dog described in section 5.1, a person must apply to the Municipality, in the form provided by the Animal Control Officer, for a Dog Licence and must pay to the Municipality the Dog Licence fees prescribed in section 5.7 and must pay the prescribed annual fee thereafter on or before the 31st day of January in each calendar year.
- 5.3 A Dog Licence must not be issued to or in the name of a person under the age of nineteen (19) years.
- 5.4 The Licence Tag must at all times be fastened to a collar or harness worn by the Dog for which the Licence was issued.

- 5.5 If a Licence Tag has been lost, destroyed or mutilated, the Dog Owner must obtain from the Municipality for the remainder of the current Licence Year, a replacement Licence Tag, upon producing proof of purchase of a valid Dog Licence and upon payment of the applicable fee prescribed in section 5.7.
- 5.6 If an Owner of a Licensed Dog changes his or her address within the Municipality, the Owner shall promptly notify the Municipality of the new address.
- 5.7 The Licence fees required to be paid under this Bylaw are prescribed in Village of Kaslo Fees and Charges Bylaw No. 1249, 2020, as amended or replaced by successor legislation.

6.0 DOG REGULATIONS AND RESTRICTIONS

- 6.1 The Owner of a Dog must not permit or allow the Owner's Dog:
- (a) to be At Large;
 - (b) to chase, attack, or bite a person, Dog or other animal;
 - (c) to howl or bark excessively where such howling or barking disturbs or is likely to disturb persons in the neighbourhood or vicinity of the barking Dog.
- 6.2 Section 6.1(a) does not apply in the case of a Dog actively engaged in an organized dog trial, show, competition or exhibition as long as the Dog is under the immediate control of a responsible person.
- 6.3 The Owner of a female Dog, at all times when the Dog is in heat, must keep it securely confined in a building or Enclosure.
- 6.4 The Owner of a Dog must immediately remove and dispose, in a waste container or by other sanitary means, any fecal matter deposited by such Dog in or on a highway or other public place.
- 6.5 Despite section 6.1(a), a Dog may be off Leash in an area designated in Schedule "B", but must be under the control of a person who is competent to manage the Dog.

7.0 ADDITIONAL PROVISIONS FOR VICIOUS DOGS

- 7.1 The provisions of this section are in addition to any other regulations or requirements of this Bylaw or other bylaws, but where there is conflict, the more restrictive provision shall apply.
- 7.2 A person may cause or allow a Vicious Dog owned by that person:
- (a) to be on a highway or in a public place only if the Vicious Dog is
 - (i) firmly held on a Leash,
 - (ii) firmly held by a person competent to restrain the Vicious Dog, and
 - (iii) Muzzled.
 - (b) to be on private land, or in a private building or structure, only with the consent of the occupier of that property and only if Muzzled;
 - (c) to be on the Owner's land only in a building or Enclosure.

7.3 The Owner of a Vicious Dog must

- (a) display a sign at each entrance to the parcel of land at which, and the building or structure in which, the Vicious Dog is kept,
 - (i) containing the word "WARNING" measuring at least six (6) cm high and twenty (20) cm wide,
 - (ii) containing the phrase "VICIOUS DOG ON PREMISES" measuring at least two (2) cm high and twenty-five (25) cm wide,
 - (iii) that is visible and capable of being read from the nearest sidewalk, street, or lane, if any;
- (b) within two (2) working days of selling or giving away the Vicious Dog, provide the Municipality with the name, address and telephone number of the Vicious Dog's new Owner;
- (c) advise the Municipality within two (2) working days of the death of the Vicious Dog and provide a veterinarian's certificate of death; and
- (d) advise the Municipality immediately if the Vicious Dog is At Large, or has bitten or attacked a person, other animal or Dog.

7.4 No person may deface or remove a sign that is required to be posted under subsection 7.3(a).

8.0 OFFENCES

8.1 No person may obstruct the Animal Control Officer or bylaw enforcement officer in the fulfillment of their duties.

8.2 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this bylaw, is guilty of an offence and is liable to the penalties imposed under this bylaw, and is guilty of a separate offence each day that a violation occurs.

8.3 Any person who violates a provision of this bylaw is guilty of an offence and is liable to:

- (a) a fine as set out in Village of Kaslo Bylaw Enforcement Ticket Information Bylaw, No. 1037, 2006, as amended or replaced by successor legislation; or,
- (b) a penalty of not less than \$25.00 and not more than \$10,000.00, or imprisonment of not more than 6 months, upon summary conviction.

9.0 INSPECTION

9.1 The Animal Control Officer may enter upon any property in accordance with the *Community Charter* as amended and the provisions of this Bylaw.

10.0 MISCELLANEOUS

10.1 This Bylaw comes into force on the date of its adoption.

10.2 A Dog that is validly Licensed under Bylaw No. 1036 " A BYLAW OF THE VILLAGE OF KASLO TO PROVIDE FOR THE LICENSING AND CONTROL OF DOGS WITHIN THE MUNICIPALITY" at the time when this Bylaw comes into force is deemed to be validly Licensed under this Bylaw until that

Licence expires.

10.3 Bylaw No. 1036 "A BYLAW OF THE VILLAGE OF KASLO TO PROVIDE FOR THE LICENSING AND CONTROL OF DOGS WITHIN THE MUNICIPALITY" is hereby repealed.

READ A FIRST TIME THIS 26TH DAY OF NOVEMBER 2013.

READ A SECOND TIME THIS 26thTH DAY OF NOVEMBER 2013.

READ A THIRD TIME THIS 26th DAY OF NOVEMBER 2013.

RECONSIDERED AND ADOPTED THIS 10TH DAY OF DECEMBER 2013.

Mayor

Chief Administrative Officer

CERTIFIED CORRECT:

Chief Administrative Officer

Fees and Charges Bylaw No. 1271, 2021

Schedule F

FEE CATEGORY: Dog Licences	
Item	Fee
Dog Licence	\$50
Dog Licence if paid before January 31	\$40
Dog Licence - neutered or spayed	\$15
Dog Licence - neutered or spayed, if paid before January 31	\$12
Replacement Dog Tag	\$5

FEE CATEGORY: Animal Control	
Item	Fee
Impoundment - first occurrence	\$75
Impoundment - second occurrence	\$100
Impoundment - additional occurrence(s)	\$150
Food, Water, Shelter, Transportation for impounded dogs	Actual Cost
Veterinarian fees incurred during impoundment	Actual Cost
Live Animal Trap Rental	\$5 per day
Deposit for Live Animal Trap Rental	\$75
These amounts do not include GST which will be applied	

SCHEDULE "B"

Lots 39-48 Block 23 Plan 393 District Lot 209

Lots 1-12 and Lots 37-48 Block 28 District Lot 209

Lots 1-12 and Lots 31-40 Block 29 District Lot 209