

DISTRICT OF LILLOOET
Animal Control and Licensing Bylaw
No. 271, 2006

Consolidated for Convenience Only

This is a consolidation of ***"Animal Control and Licensing Bylaw No. 271, 2006"***. The amendment bylaws listed below have been combined with the original bylaw for convenience only. This consolidation is not a legal document. The original bylaws should be consulted for all interpretations and applications on this subject.

Amendment Bylaw

Bylaw No. 310, 2008

Include aggressive, dangerous and nuisance
dogs

Effective Date

May 20, 2008

The bylaw numbers in the margins of this consolidation refer to the bylaws that amended the principal bylaw "Animal Control and Licensing Bylaw No. 271, 2006".

This is a consolidated bylaw prepared by the District of Lillooet for information only. To verify the accuracy and currency of this information, please contact the District office at (250) 256-4289 or by email cityhall@lillooetbc.ca

DISTRICT OF LILLOOET
BYLAW NO. 271, 2006

A bylaw to provide for the control licensing and impounding
of animals within the District of Lillooet

WHEREAS it is deemed expedient to regulate the keeping of dogs and other animals and fix, impose and provide for the collection of license fees from and the issuance of licenses to any person who owns, possesses or harbours any dog;

NOW THEREFORE the Council of the District of Lillooet, in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "**Animal Control and Licensing Bylaw 2006, No. 271**".
2. "Animal Control Bylaw No. 662, 1995" and all amendments thereto are hereby repealed.

INTERPRETATION

3. In this bylaw:

Aggressive Dog means a dog that meets any one or more of the following conditions:

- a) A dog that has attacked, bitten or caused injury, with or without provocation, to a person or has demonstrated a propensity, tendency or disposition to do so;
- b) A dog that, while running at large, has bitten, killed or caused injury to a person or domestic animal
- c) A dog that, while running at large, has aggressively pursued or harassed a person or domestic animal
- d) A dog with a known propensity to attack or injure a person without provocation
- e) A dog owned or harboured primarily, or in part, for the purpose of dog fighting or a dog trained for dog fighting
- f) A dangerous dog
- g) A dog that has been found to be dangerous or aggressive by the Chief Administrative Officer, or designate, by another local government or by a court

Animal includes cats, dogs, horses, mules, donkeys, swine, sheep, goats, turkeys, geese, ducks or other poultry, pigeons, as well as any cattle or fur-bearing animal or other animal by whatever technical or familiar name known, harboured by a person or corporation, however, excludes camels.

Animal Control Officer means:

- a) a municipal employee, officer or agent designated by the Council as an animal control officer for the enforcement of this bylaw,

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- b) a peace officer,
- c) a Bylaw Enforcement Officer, or
- d) such other person empowered to administer the bylaw.

At large, run at large and running at large means being unleashed and being elsewhere than on the premises of the owner or person having the custody, care or control of any animal; or not being under immediate control of some competent person.

Bylaw Enforcement Officer means a person appointed by the District of Lillooet Council to enforce the District of Lillooet Bylaws.

Corporate Officer means the Corporate Officer, or their Deputy of the District of Lillooet.

Competent Person means a person who is physically able to exercise control over an animal.

Council means the Council of the District of Lillooet.

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Dangerous Dog means a 'dangerous dog' as defined in Section 49 of the Community Charter.

District means the District of Lillooet.

Domestic animal means an animal that is tame or kept, or that has been or is being sufficiently tamed or kept, to serve some purpose for people.

Harbourer means a person who has in his care or control, or has been entrusted with the care and control of an animal.

Highway includes all meanings of that word as specified in the Motor Vehicle Act.

Kennel means a place where dogs are bred, reared, trained or boarded.

License means a license for a dog issued by the District of Lillooet.

Municipality means the area being governed by the District of Lillooet lying within the corporate limits of the District.

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Nuisance Dog means a dog:

- a) that has been impounded 3 times within the previous 24 months
- b) for which the owner has received a municipal ticket for running at large 3 times within the previous 24 months; or
- c) for which the total number of impounds and tickets totals 3 within the previous 24 months

Owner means any person who owns or has in his/her custody or under his/her control, or harbours any animal within the municipality, and/or any person in whose name a license is issued pursuant to the Bylaw, or who has made application for a license for a dog.

Person means a person, family, household, corporation, firm, partnership or society.

Seize includes impound and detain.

Temporary Boarding Permit means a special permit as outlined in Schedule "C" attached hereto and forming a part of the Bylaw.

Unlicensed Dog means any dog for which the license fee for the current years has not been paid to the District or which does not have attached to its collar or harness a current metal tag issued pursuant to the Bylaw.

Under Control means in direct and continuous charge of a competent person who is directly exercising control over it by ensuring that the dog(s) is/are leashed at all times.

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Vicious Dog means:

- ~~a) Any dog with a known propensity, tendency or disposition to attack, without provocation, other domestic animals or humans; or~~
- ~~b) Any dog which has bitten another domestic animal or a human without provocation.~~
- ~~c) Any dog that displays unprovoked aggressive behaviour.~~

REGULATIONS

- 4. The Corporate Officer or the Bylaw Enforcement Officer, Animal Control Officer or other persons so designated by resolution, being hereby designated to act in the place of the Corporate Officer for the purposes of this section, are authorized at all reasonable times to enter on property that is subject to regulation under this Bylaw to ascertain whether the regulation or directions under this Bylaw are being observed.
- 5. No license fee shall be payable for a dog which is trained for and used in assisting:
 - 1) Law enforcement agencies in the carrying out their duties; or
 - 2) Persons suffering from a disability which necessitates such assistance, including blindness, deafness and paralysis.
- 6. Dogs which are exempt from license fees under section 5 shall nevertheless be registered and shall wear a collar with a metal license tag attached thereto pursuant to Section 13.

DOG LICENSES

- 7. Every person who owns, possesses or harbours any dog apparently over the age of two (2) months within the Municipality shall hold a valid license for each such dog.
- 8. The owner shall renew a License on or before February 1st of each year and shall pay the License fee payable to the District for each License in accordance with Schedule "A" attached hereto.
- 9. Upon request, the owner shall provide proof of age for any dog claimed to be under two (2) months of age.
- 10. Prior to issuance of a License for a spayed female dog or a neutered male dog, the Municipality may require the owner to furnish proof that the dog has been spayed or neutered. Proof that a dog has been spayed or neutered shall be by a certificate from a registered Veterinarian Surgeon.
- 11. Every License issued under this Bylaw shall be for the calendar year in which the license is issued and shall expire on the 31st day of December following the date on which the license is issued.
- 12. With each license, the District shall issue a metal license tag which shall be impressed or stamped with a number corresponding to the number of the license and with figures denoting the year in which the license expires.
- 13. Every owner of a dog licensed under this Bylaw shall provide and keep on the dog, a suitable collar or harness to which shall be fastened at all times, the dog license tag issued in connection with the licensing of such dog, except where a qualified Veterinary Surgeon certifies that a dog cannot, due to sickness, injury or disease, comfortably wear a collar or harness.
- 14. No person except the owner of a dog or the Animal Control Officer of the District shall remove a license tag from a dog.

15. Every license issued under this section shall be for one (1) animal only, and such license is not transferable to any other dog.
16. Where the owner of a dog in respect of which a current license has been issued under this Bylaw, sells or otherwise ceases to be the owner of the dog, he/she shall, within seven (7) days of ceasing to be the owner of such dog, notify the Municipality of the name and address of the new owner.
17. Where the ownership of a dog in respect of which a current license has been issued under this Bylaw changes, the license may be transferred to the new owner without charge upon making application to the Municipality.
18. The District may, upon being satisfied that a license tag issued hereunder has been lost or stolen, issue a replacement thereof on payment of a fee as in accordance with Schedule "A" attached hereto.
19. Upon request and payment of the required fee, the District may issue a temporary boarding permit that allows a dog handler or breeder to board one additional dog for a maximum of seven (7) days, notwithstanding that the dog is subject to the provisions of this Bylaw.

CONTROL OF ANIMALS

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20. The owner of a dog or other animal shall ensure that:
 - 1) An animal owned, possessed or harboured by him/her does not run at large or trespass in or upon any private lands or premises.
 - ~~2) Any animal owned, possessed or harboured by him/her is not on a highway or any public place unless such animal is under the control of a person who is competent to control the animal.~~
 - 2) Any animal owned, possessed or harboured by him/her is not on a highway or any public place unless such animal is leashed and under the control of a person who is competent to control the animal.
21. The owner of every dog shall, at all times when such dog is not on a leash and under the control of a person who is competent to control the dog, keep such dog securely confined on the premises or property owned or controlled by the owner.
22. No owner of an unspayed female dog shall permit such dog to leave the premises of the owner during such female dog's ovulatory period except to convey the dog directly to a veterinarian or kennel.
23. The Animal Control Officer and every other person empowered to administer this bylaw may impound a female dog in heat found running at large and shall detain such dog at the expense of the owner while the dog is in heat; Section 40 of this bylaw shall not apply until the expiration of such period.
24. The owner of every dog shall, at all times when such dog is off the premises of the owner, immediately remove or cause to be removed any feces deposited by such dog in a public or private area and dispose of the feces in a sanitary manner.

VICIOUS OR DISEASED ANIMALS

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- ~~25. The owner of a vicious dog shall ensure that such dog is not on a highway or any public place unless effectively muzzled so as to prevent it from endangering the safety of any person or other animal, including a person~~

~~lawfully entering upon premises where the animal is located. When such dog is not effectively muzzled, on a leash and under the control of a person who is competent to control the dog, such dog shall be kept indoors or within a securely closed and locked enclosure capable of preventing the vicious dog from escaping or the entry of any unauthorized person.~~

- 310-2008 25. Where, in the opinion of an animal control officer, a dog has been involved in an incident in which the dog was an aggressive dog, the animal control officer may submit a written report of the incident to the Chief Administrative Officer.
- 310-2008 26. If, in the opinion of the Chief Administrative Officer, grounds exist to consider the dog as an aggressive dog under this Bylaw, a letter shall be sent to the owner of the dog confirming that the District considers the dog to be an aggressive dog and advising the owner of the requirements for confining and restraining dogs under this Bylaw.
- 310-2008 27. Where a dog has been considered to be aggressive pursuant to Section 26, the owner of the dog may appeal the classification, in writing, within 10 days to the Chief Administrative Officer, who will review the owner's submissions, the written report of the animal control officer, and any other materials deemed relevant, and who will then determine whether the District will continue to consider the dog an aggressive dog.
- 310-2008 28. Every owner of an aggressive dog shall:
- 1) At all times while the dog is on the premises occupied by the owner, keep the dog securely confined indoors or in an enclosure; and
 - 2) At all times while the dog is off the premises occupied by the owner, keep the dog:
 - a) On a leash or tether not exceeding three metres in length;
 - b) Under the immediate care and control of a competent person; and
 - c) Muzzled to prevent it from biting a person or other animal.
- 310-2008 29. Where the owner of an aggressive dog requests that the dog be destroyed, the animal control officer may arrange to have the dog humanely destroyed.
- 310-2008 30. In additions to the above conditions, a dangerous dog may also be dealt with by the District in accordance with Section 49 of the Community Charter."
- 310-2008 31. No person shall keep, harbour or have in his possession any animal suffering from any infectious or communicable disease, unless such animal is in isolation and is undergoing treatment for the cure of such disease.
- 310-2008 32. The Animal Control Officer may, at any time, and at his/her sole discretion, destroy or cause to be destroyed, any animal suffering from any incurable disease, injury or mutilation, to prevent cruel suffering or the spread of disease.

KENNELS

- 310-2008 33. Every owner of more than two dogs shall possess a valid and subsisting dog license for each dog as well as a valid and subsisting kennel license.

- 310-2008 34. Every owner of more than six dogs shall possess an additional valid and subsisting dog license for each dog and a kennel license for each dog over and above the first six dogs.
- 310-2008 35. A kennel license shall be obtained by applying the District and paying the prescribed kennel license fee set out in Schedule "A" attached hereto.
- 310-2008 36. No kennel shall be permitted unless:
- 1) 24 square feet of floor space is provided for each dog; and
 - 2) The kennel complies with all laws and regulations in force in the province of British Columbia and all bylaws.
- 310-2008 37. A kennel license issued may be suspended or revoked at any time by the Animal Control Officer if the provisions of the bylaw are not observed by the licensee.
- 310-2008 38. Every licensee shall, at all reasonable times, permit the Animal Control Officer to enter and inspect any kennel for the purposes of ascertaining whether the provisions of this bylaw are being observed.
- 310-2008 39. Every kennel license issued under this bylaw:
- 1) Expires on the 31st day of December of the year in which it is issued;
 - 2) Is valid only in respect of the kennel for which it is issued; and
 - 3) Shall be renewed not later than the 1st day of February in the following calendar year.
- 310-2008 40. The municipality shall maintain a record of all kennel licenses issued for a period of two (2) years from the date a license is issued, showing the name and address of the owner, the date of the license, a description and kennel license number of the kennel and the license fee paid.

IMPOUNDING

- 310-2008 41. The Animal Control Officer may impound any animal that is running at large within the Municipality.
- 310-2008 42. The owner, possessor or harbourer of any animal impounded under this bylaw may redeem the same upon application to the Animal Control Officer with proof of ownership and payment of the Impound and Boarding fees as set out in Schedule "B" attached hereto and forming part of this bylaw.
- 310-2008 43. Any person who in any way interferes, resists, or wilfully obstructs the Animal Control Officer or any other person lawfully engaged in impounding any animal or carrying out any other duty pursuant to the provisions of this bylaw, is guilty of an offence against this bylaw.
- 310-2008 44. The owner of an aggressive dog that has been impounded, pursuant to this bylaw, may only reclaim the dog upon application to the animal control officer with the following:
- 1) Proof of ownership of the aggressive dog
 - 2) Payment of the fees set out in Schedule "B"
 - 3) Delivery to the animal control officer of an executed statement in the form prescribed in Schedule "E"
- 310-2008 45. Notwithstanding Section 39, where a dangerous dog is seized pursuant to Section 49 of the Community Charter, or where the District is otherwise making application under Section 49 of the Community Charter for an order for the destruction of a dangerous dog, the animal control officer may refuse to release the dangerous dog to the owner in accordance with Section 49 of the Community Charter.

SALE AND DISPOSAL

- 310-2008 46. Where an animal is impounded pursuant to this bylaw the Animal Control Officer shall make reasonable effort to contact the owner of the dog if it is wearing a dog licence tag, or determine the owner if it is unlicensed, and notify the owner of the impoundment and the procedure for redeeming the dog.
- 310-2008 47. Within two (2) working days after impounding any animal pursuant to this bylaw, the Animal Control Officer shall post a notice, setting out the particulars of the impounded animal, including the ownership where known, and advise that the animal will be sold or disposed of after expiration of three clear working days from the date of the notice, unless, in the meantime, the animal is redeemed.
- 310-2008 48. The Animal Control Officer may, at his/her discretion, sell, destroy, cause to be destroyed or dispose of any animal which has been impounded where the prescribed fines, fees, and other charges are not paid within three (3) clear working days of the notice being posted.
- 310-2008 49. The notice referred to in Section 40 shall for all purposes be sufficient notice to the owner and shall be deemed to have been received by him or her on the date of posting.
- 310-2008 50. The municipality shall maintain a record containing the following information:
- 1) a description of every dog or animal impounded
 - 2) the date and time at which the dog was impounded
 - 3) the date and time at which the dog or animal was redeemed, sold, destroyed or disposed of
 - 4) the amount of fines, fees or licences paid
 - 5) the proceeds of sale (if any)

MUNICIPAL TICKET INFORMATION PROVISIONS

- 310-2008 51. This Bylaw is designated pursuant to Section 264 of the Community Charter, as a bylaw that may be enforced by means of a ticket in the form prescribed.
- 310-2008 52. Animal Control Officers, Bylaw Enforcement Officers and members of the RCMP are designated to enforce this bylaw by means of a ticket pursuant to Section 264 of the Community Charter.
- 310-2008 53. The words or expressions listed in Schedule "B" of this bylaw in the "Offence" column are authorized to be used on a ticket pursuant to section 264(1)(c) of the Community Charter to designate an offence against the respective section of this bylaw appearing opposite in the "Section" column. The amounts appearing in the "Fine" column are the fines set pursuant to section 265 of the Community Charter for contravention of the respective section of this Bylaw appearing opposite in the section column.
- 310-2008 54. The Bylaw Enforcement Officer shall refer every disputed ticket to the Provincial Court for a hearing.

PENALTIES

- 310-2008 55. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of this

bylaw is liable on summary conviction to a fine of not more than ten thousand dollars (\$10,000.00) and costs (including the costs of committal and conveyance to the place of imprisonment) for each offence, and in default of payment therefore, to imprisonment of a term not exceeding six months in jail. Each day that such violation is permitted to continue shall be a separate offence.

- 310-2008 56. If action is taken pursuant to this bylaw, expenses may be recovered, together with costs and interest, in the same manner as municipal taxes.

INTERPRETATION ACT

- 310-2008 57. In reckoning time for purposes of this bylaw, any period of time expressed in days shall be exclusive of any holiday as defined by the Interpretation Act. Where the time limit or the date under this bylaw for any proceeding falls due on a day when the offices of the District are not open to the public, the time so limited shall extend to (and such things may be done on) the day next following on which the offices are open to the public.

SEVERABILITY

- 310-2008 58. If any provision of this Bylaw is determined by a court of competent jurisdiction to be unlawful or unenforceable, that provision shall be severed from this Bylaw and shall not affect the validity of any remaining provision of this Bylaw.

"Animal Control and Licencing Bylaw No. 271, 2006"
Schedule "A"

Licence and Permit Fees

Dog Licence Fees

Spayed female dogs	\$15.00
Neutered male dogs	15.00
Unspayed female dogs	30.00
Unneutered male dogs	30.00
Replacement Licence Tag	5.00

**Fees for Dog Licences Purchased After July 1st for
Previously Unlicensed Dogs**

Spayed female dogs	\$7.50
Neutered male dogs	7.50
Unspayed female dogs	15.00
Unneutered male dogs	15.00

Permit Fees

Kennel Permit	\$100.00
Temporary Boarding Permit	10.00

"Animal Control and Licencing Bylaw No. 271, 2006"
Schedule "B"

Impound Fees

Impound Fees

Seizing and impounding any licensed dog (for each time the dog is impounded)	\$30.00
Seizing and impounding an unlicensed dog	50.00
	Plus licence fee
Seizing and impounding a nuisance dog	100.00
Seizing and impounding an aggressive dog (for each time the dog is impounded)	200.00
Seizing and impounding birds, reptiles, etc.	25.00

Boarding Fees

For each day or portion thereof during which a dog is impounded	\$7.50
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"Animal Control and Licencing Bylaw No. 271, 2006"
Schedule "C"

Temporary Boarding Permit

Date: _____ Permit No. _____

The District of Lillooet hereby authorizes:

Name: _____

Address: _____

Telephone: _____

To board the following breeding and/or show dog:

Full Description: _____

In accordance with, and under the regulation of, the District of Lillooet
"Animal Control and Licencing Bylaw No. 271, 2006"

Permit Fee: \$10.00

Bylaw Enforcement Officer or
Authorized Representative

“Animal Control and Licencing Bylaw No. 271, 2006”
Schedule “D”

Offence	Section	Fine 1st Offence	Fine 2nd and Subsequent Offence
Unlicenced Dog	7	\$50.00	\$100.00
Licence Not Affixed	13	25.00	50.00
Animal at Large	20(1)	50.00	100.00
Animal Not Under Control	20(2)	50.00	100.00
Failure to Dispose of Excrement	24	25.00	50.00
Aggressive Dog Not Securely Confined	28(1)	200.00	400.00
Aggressive Dog Not Muzzled or Leashed	28(2)	200.00	400.00
Unlawful Keeping of Animals	31	200.00	400.00
No Kennel Licence	33	100.00	200.00
Interfere with Animal Control/Bylaw Enforcement Officer	42	250.00	500.00

"Animal Control and Licencing Bylaw No. 271, 2006"
Schedule "E"

1. I, _____
(name of owner)

(address of owner)

hereby apply for the release of a

(colour, breed and sex of dog)

named _____
(given name of dog) (the "Dog")

which has been impounded pursuant to the District of Lillooet animal Control and Licensing Bylaw.

2. I am the owner of the Dog.
3. I am aware that the dog is an 'aggressive dog' within the meaning prescribed by bylaw and I am aware of the responsibility and potential liability that rests with me in keeping or harbouring the Dog.
4. In consideration of the release of the Dog to me, I hereby acknowledge, covenant and agree with the District of Lillooet:
 - a) That I have constructed on the premises where the dog will be kept, an enclosure within the meaning prescribed by bylaw.
 - b) That I will, at all times when the dog is not effectively muzzled, on a leash and under the care and control of a person who is competent to control the dog, kept the dog indoors or within a securely closed and locked enclosure;
 - c) That I will save harmless and indemnify the District of Lillooet, its animal control officers and any of its officers, employees, agents or elected or appointed officials from and against any and all actions, causes of action proceedings, claims, demands, losses, damages, costs or expenses whatsoever and by whomsoever brought in to me or keeping or harbouring of the dog by me, and without limiting the generality of the foregoing, for any person injury or death inflicted on any other animal or any person by the dog or any damage to property caused by the dog; and
 - d) That I am aware that if the dog is ever again found to be at large or not confined as herein before provided, that the District may seize the dog and I will be liable for the full costs of impounding the dog as an 'aggressive dog' under the Bylaw.

I submit herewith the sum of \$_____ in payment of all licence and impounding fees payable by me pursuant to the Bylaw.

Signature of Owner