

**THE CORPORATION OF THE VILLAGE OF GRANISLE**

**BYLAW NO. 339, 2001**

---

**Council of the Village of Granisle in open meeting assembled enacts as follows:**

**1. Title**

**This Bylaw may be cited as "Dog, Animal Control and Licensing Bylaw No. 339, 2001".**

**PART 1 DEFINITIONS**

- 2. (1) "Animal" means horses, cattle, goats, swine, or any other animal of the bovine species, fur bearing or, wild animal;**
- (2) "at large" means;**
- (a) where a dog is in or upon a public place posted as being prohibited; or**
  - (b) where a dog is not under the direct and continuous control of the owner, either by being:**
    - (i) in or upon the property of it's owner; or**
    - (ii) securely confined within a building or escape proof enclosure, or**
    - (iii) securely leashed, tethered or penned so it is unable to roam, or**
    - (iv) in the charge of a competent person who is exercising direct control over it;**
- (3) "authorized designate" means such other person as the Village may appoint from time to time to carry out the duties and provisions as prescribed in this Bylaw;**
- (4) "Boulevard" means that part of a highway or roadway and is the grassed or graveled area between the curb and a property line which may include a sidewalk;**
- (5) "Bylaw Enforcement Officer" means any person, appointed by Council or their designate to administer the provisions of this Bylaw pursuant to the Municipal Act;**

- (6) **“competent person” means a person who is physically able to exercise control over a dog;**
- (7) **“Village” means the Village of Granisle;**
- (8) **“Village Administrator” means the Administrator of the Village of Granisle;**
- (9) **“Dog” means either male or female of the Canine family, and includes a vicious dog as defined below;**
- (10) **“Treasurer” means any person appointed by Council or their designate to administer the provisions of this bylaw pursuant to the Local Government Act;**
- (11) **“Fowl” means chickens, ducks, geese, turkeys, pigeons and guinea fowl, or poultry and domestic birds of any kind;**
- (12) **“License Inspector” means the License Inspector for the Village of Granisle as appointed from time to time or any authorized assistants;**
- (13) **“Owner” means any person, partnership, associate or corporation:**
- (a) **owning, possessing or having charge of or control over any dog; or**
  - (b) **harboring any dog; or**
  - (c) **suffering or permitting any dog to remain about the Owner’s house or premises;**
- (14) **Park land” means all recreational land areas owned or controlled by the Village lying within the Village limits, and whether improved in whole or in part, or in its natural state; and includes neighborhood beautification areas, publicly maintained areas administered by the City Engineering, or Recreation Departments, and includes all buildings or other improvements situated on These land areas;**
- Boulevards are specifically excluded from this definition;**
- (15) **“Poundkeeper” means a person or persons appointed from time to time by Council, to be the Poundkeeper, or the authorized agent of any corporation or society with whom Council has an agreement to act as poundkeeper, or any person or persons that Council may authorize to assist the poundkeeper to enforce this bylaw;**
- (16) **“Vicious Dog” means a dog of any age, which:**
- (a) **shows a propensity, disposition or potential to attack or injure, without provocation, humans or other animals; or**

- (b) without provocation, chases humans or other animals; or**
- (c) is a continuing threat of serious harm to humans or other animals; or**
- (d) without provocation, has attacked humans or other animals;**

**PART II     LICENSING REQUIREMENTS**

- 4. The Owner of any dog aged three months or more shall obtain and shall keep in force a license for the dog prior to the beginning of each dog license year. When an Owner's dog attains the age of three months after the commencement of a dog license year, the Owner shall obtain a license when the dog attains that age.**
- 5. An Owner shall obtain and keep in force a Vicious Dog license for a Vicious Dog.**
- 6. A dog license shall be issued to the Owner upon payment by the Owner of a license fee as prescribed in Schedule "A" for each dog that is the property of the Owner. A dog license for one registered guide dog owned by a blind person shall be issued free of charge to the blind Owner.**
- 7. Provided that the dog is not a Vicious Dog, where an Owner:
  - (1) presents a certificate signed by a duly qualified veterinarian that the dog is neutered, spayed or that the dog is incapable of producing offspring, or;**
  - (2) executes a statutory declaration declaring that the dog is neutered or spayed, they shall be issued a license upon payment of the reduced fee set out in Schedule "A".**
  - (3) It is an offence under this Bylaw to give false information.****
- 8. When application for a license is made by an Owner of a dog, which is not a Vicious Dog, and the Owner is 65 years of age or older they will be issued one License for the dog upon payment of a license fee as identified in Schedule "A".**
- 9. The dog license year shall be from January 1 to December 31, inclusive.**
- 10. The fee for any license issued after the 1<sup>st</sup> day of September in any year for a dog which was brought into the Village, or attained the age of 3 months shall be one-half the regular license fee as per Schedule "A".**
- 11. Upon payment of the license fee by the Owner, they will be issued a tag for each dog licensed.**

- 12. Every owner shall provide the licensed dog with a collar to which the Owner shall affix the tag for such dog and the Owner shall ensure that the collar and tag are worn by the licensed dog at any time the dog is not on the Owner's premises.**
- 13. In case a tag is lost or destroyed, a replacement tag will be issued upon payment of the fee identified in Schedule "A" for the issuance of a replacement tag.**
- 14. Tags are not transferable from one dog to another and no refund shall be made on paid up dog license because of death or sale of the dog or upon the Owner's leaving the Village before expiration of the license period.**
- 15. The provisions of Sections 4 to 14 shall not apply to persons temporarily in the Village for a period not exceeding two consecutive weeks.**
- 16. No more than three licensed dogs shall be kept or harboured at one time on land or premises occupied by their Owners, so that the aggregate number of dogs on any one residence shall not exceed 3 dogs.**
- 17. No kennels shall be allowed within the boundaries of the Village of Granisle.**

**PART III      RESPONSIBILITY OF OWNER**

- 18. No Owner shall suffer, permit, allow or for any reason have their dogs at large.**
- 19. Notwithstanding the provisions of Section (18), the Village Administrator may designate, by specific signage, lands where dogs are permitted to be at large.**
- 20. A female dog in heat shall be confined and housed in the residence or yard of the Owner, in a pen as outlined in Section 26 (1) and (2) or taken to a licensed kennel during the whole period that the dog is in heat; except that a female dog on a leash may be allowed outside the said residence in the yard for the sole purpose of permitting the dog to defecate/urinate on the premises of the Owner.**
- 21. (1) If a dog defecates on any public or private property other than the property of its Owner, the Owner shall cause such feces to be removed immediately.**
  - (2) Residences or grounds where any dogs are kept shall at all times be maintained in a clean, sanitary and inoffensive condition.**
  - (3) A blind Owner of a registered guide dog, or a blind person being assisted by a registered guide dog is not subject to the obligations imposed in Section 21, Subsection (1).**

- 22. No Owner shall suffer, permit, allow or for any reason have their dog damage Public or private property.**
- 23. (1) No owner shall suffer, permit, allow or for any reason have their dog on any school ground, playground, or park land where prohibited and posted except during a special organized and approved function or when the owner is attending a recognized training or obedience school for training their dog at a time and place which may require the approval of the Village Administrator.**
- (2) The Village Administrator may post signs to indicate land areas where dogs are not permitted.**
- (3) A blind Owner of a registered guide dog, or a blind person being assisted by a Registered guide dog is not subject to the obligations imposed in Section 23, Subsection (1).**

**PART IV VICIOUS DOGS**

- 24. (1) An Owner of a Vicious Dog shall maintain in force a policy of liability insurance in a form satisfactory to the Treasurer providing third party liability coverage in a minimum amount of Five Hundred Thousand Dollars (\$500,000.00) for injuries which may be caused by the Owner's Vicious Dog.**
- (2) It shall be the responsibility of the dog owner to immediately notify the Village in writing should the policy expire, be cancelled, or terminate.**
- 25. (1) The Owner of a Vicious Dog shall take all necessary steps to ensure that it does not bite, chase or attack any human or other animal whether the person or animal is on the property of the Owner or not.**
- (2) If a Vicious Dog bites or attacks a person or animal, the Owner shall be guilty of an offense and subject liable to a fine under this Bylaw, exclusive of any other civil actions or penalties.**
- 26. (1) When a Vicious Dog is on the premises of its Owner, it shall be kept confined indoors under the effective control of a person over the age of sixteen (16) years, or confined in a securely enclosed and locked pen, or other structure constructed and secured in such a fashion as to prevent the escape of the Vicious Dog, and to prevent the entry of persons unauthorized by the Owner.**
- (2) Any such pen shall have a secure top and sides and either have a secure bottom effectively attached to the sides, or the sides shall be embedded in the ground to a minimum depth of thirty (30) centimetres.**

- (3) **When a Vicious Dog is off the premises of the Owner, it shall be securely muzzled, and shall be either harnessed or leashed securely to effectively prevent it from attacking or biting a human or other animal; provided that this requirement shall not apply when the Vicious Dog is in a building or enclosure in attendance at a bona fide dog show, or confined in a pen meeting the requirements of Subsection (1) and (2).**
27. (1) **The Owner of a dog, which the Owner knows or ought to know is a Vicious Dog, shall keep the Vicious Dog in accordance with the provisions of Section 26.**
- (2) **If the Poundkeeper, RCMP Officer or Village employee designated by Village Council to administer this Bylaw determine on reasonable grounds that a dog is a Vicious Dog, either through personal observation or on the basis of facts determined after an investigation initiated by a complaint, they may:**
- (a) **give the Owner a written notice that the dog has been determined to be a Vicious Dog; and**
- (b) **require the Owner to keep such dog in accordance with the provisions of Section 26 of this Bylaw upon the Owner's receipt of the notice; and**
- (c) **inform the Owner that if the Vicious Dog is not kept in accordance with Section 26 of this Bylaw, the Owner will be fined, or subject to enforcement action with an application made to the Provincial Court to have the dog humanely destroyed.**
- (3) **Where the Owner of a dog that has been determined to be a Vicious Dog produces information to the Village Administrator that may alter a determination made under Subsection (2), they shall, as soon as is reasonably possible, cause the matter to be reviewed and make a final determination.**
28. **Provisions in this Bylaw which apply to Vicious Dogs shall not apply to dogs Owned by the Royal Canadian Mounted Police solely by reason of any events or Actions which occur while the dogs are engaged in police work.**

**PART V RESPONSIBILITY OF VILLAGE ADMINISTRATION**

29. **The Village Administrator shall establish one or more pounds for the keeping and impounding of the dogs and the Poundkeepers shall make all rules and regulations not inconsistent with this Bylaw pertaining to the administration of the pound(s).**

- 30. Designated Village staff shall keep a record in which shall be recorded the name and address of each Owner, the breed, colour and sex of each dog for which a license is issued, and shall also record each number stamped on the tag issued to the Owner, and the amount of license fee paid by the Owner.**
- 31. The Poundkeeper, RCMP Officer or Bylaw Enforcement Officer may seize and impound:**
- (1) every dog at large; or**
  - (2) every dog not wearing a collar and tag while off the premises of the Owner;  
or**
  - (3) every dog found on posted land unless permitted pursuant to Sections 20 and 23 (1); or**
  - (4) every female dog in heat not confined, housed or kennelled in compliance with Section 21.**
- 32. In addition to the remedies set forth in this Bylaw, if the Poundkeeper, RCMP Officer, or the Bylaw Enforcement Officer determine that a Vicious Dog is not kept in accordance with this Bylaw, they may:**
- (1) make an order directing that such dog be controlled in accordance with this Bylaw;**
  - (2) make an application to the Court for humane destruction of a Vicious Dog.**
- 33. For enforcement of the jurisdiction provided in Section 26, 27 and 31, for the purpose of investigation only, the Bylaw Enforcement Officer, or a RCMP Officer is hereby authorized to enter any privately owned premises at reasonable times, provided, that in this Section "premises" does not include a building used as a dwelling house.**
- 34. No person, whether or not the Owner of a dog which is being or has been pursued or captured, shall:**
- (1) interfere with or attempt to obstruct a Poundkeeper, RCMP Officer or Bylaw Enforcement Officer who was attempting to capture or who has captured any dog in accordance with the provisions of this Bylaw;**
  - (2) unlock or unlatch or otherwise open the van or vehicle in which dogs captured for impoundment have been placed, or any pen or enclosure within the van or vehicle, so as to allow or attempt to allow any dog to escape therefrom; or**

- (3) **remove or attempt to remove any dog from the possession of the Poundkeeper, RCMP Officer, or Bylaw Enforcement Officer.**
35. (1) **The Poundkeeper shall keep all impounded dogs for a period of at least seventy-two (72) hours, excluding Sundays and statutory holidays. During this period, any healthy dog may be redeemed by its Owner, or the Owner's agent, upon payment to the Poundkeeper of:**
- (a) **the appropriate fine where applicable; and**
  - (b) **the appropriate license fee where the dog is not licensed; and**
  - (c) **kennel fees as identified in Schedule "A" hereof for every twenty-four (24) hour period or fraction thereof the dog has been impounded.**
- (2) **With the exception of Vicious Dogs, at the expiration of seventy-two (72) hour period, any dog not redeemed may be humanely destroyed, sold or otherwise disposed of.**
- (3) **At the expiration of the seventy-two (72) hour period, any Vicious Dog not redeemed may be humanely destroyed.**
- (4) **The Poundkeeper shall report any apparent serious illness, communicable disease, injury or unhealthy condition of any dog to a veterinarian and act upon the veterinarian's recommendation. The Owner shall be held responsible for all charges resulting.**
- (5) **If there exists an application to the Courts for the humane destruction of a Vicious Dog, any release must await the outcome of the application.**

**PART VI ANIMAL CONTROL**

36. **No animal shall be kept or harboured within the boundaries of the Village.**
37. **No animal shall be tied, secured or fastened to any traffic control post, sign, parking meter, power pole, light standard or telephone pole.**
38. **No fowl or, animal shall be kept, or, run at large within the Village. Any fowl, animal at large may be impounded.**
39. **On impoundment of any fowl or, animal, the Bylaw Enforcement Officer or, RCMP Officer may attempt to locate and advise the owner of such impoundment.**
40. **Any fowl or, animal impounded, under the provisions of this Bylaw may be sold, humanely destroyed or otherwise disposed of after seventy-two (72) hours from the date of impoundment if unclaimed by the owner.**



41. **Any fowl or, animal impoundment, may be released to the owner on payment of an impoundment fee and kennel fee as provided in Schedule "A".**
42. **It shall be unlawful to maintain an apiary and keep bees within the Village.**

#### **PART VII PENALTIES**

43. **Any license issued may be suspended or revoked by the Bylaw Enforcement Officer if the provisions of this Bylaw or any other relevant bylaw or statutes are not complied with by the License Holder.**
44. **(1) The Poundkeeper, RCMP Officer or, Bylaw Enforcement Officer may enforce the provisions of this Bylaw. Every person who commits an offense against this Bylaw is liable to a fine and penalty of not more than \$2,500.00 and not less than \$50.00 for each offence, and in default of payment thereof, forthwith and within such time as the presiding Provincial Court Judge or Justice of Peace shall direct, the fine imposed shall be recoverable under the provisions of the Offence Act, R.S.B.C. 1979 Chapter 305 and all amendments thereto.**
  - (2) The offence ticket may be issued by personally serving it upon the alleged offender, or by leaving it at the residence of the alleged offender, or by sending it to the alleged offender by registered mail.**
  - (3) The Owner or person harbouring a dog shall bear the onus, by veterinarian's certificate, of proof attesting to the neutering of that dog.**
  - (4) In any prosecution or proceedings for a contravention of this Bylaw, the Burden of proof of age of the dog and that the dog was on the property of the Owner shall rest upon the Owner.**

#### **SEVERABILITY OF BYLAW PROVISIONS**

45. **Each separate provision of this Bylaw shall be deemed independent of all other provisions, and if any provisions of this bylaw be declared invalid, all other provisions shall remain valid and enforceable.**
46. **Repeal**

**The following Bylaw is hereby repealed:**

- (1) Village of Granisle Dog Control and Licensing Bylaw No. 220, 1990.**

**EFFECT OF BYLAW**

**47. This bylaw shall come into effect and operation on the day of its adoption.**

**READ a first time this 11<sup>th</sup> day of April, 2001**

**READ a second time this 11<sup>th</sup> day of April, 2001**

**READ a third time this 11<sup>th</sup> day of April, 2001**

**ADOPTED this 25<sup>th</sup> day of April, 2001**

*E. W. Sarge*

\_\_\_\_\_  
Mayor E. Sarge

*B. Franson*

\_\_\_\_\_  
Kevin Franson, Village Clerk

**I hereby certify that this is a true  
copy of Bylaw No. 339, 2001  
Dog, Animal Control and Licensing Bylaw**

*B. Franson*

\_\_\_\_\_  
Kevin Franson, Village Clerk

**SCHEDULE "A"**

**DOG LICENSE**

- |   |                 |
|---|-----------------|
| <b>1. Dog License (male or female)</b>  | <b>\$ 10.00</b> |
| <b>2. Dog License (neutered, spayed or otherwise incapable of reproduction)</b> | <b>\$ 5.00</b>  |
| <b>3. Replacement Tag Issuance (in case of loss or destruction)</b>             | <b>\$ 5.00</b>  |

**4. Impoundment Fees:**

**For each dog impounded in any one calendar year, the fees shall be as follows:**

**(a) Impoundment of unlicensed dogs for the first time: \$25.00 plus license fee**

<b>(b) Impoundment of licensed dogs for the first time:</b>	<b>\$ 25.00</b>
<b>Impoundment of dogs for the second time:</b>	<b>\$ 50.00</b>
<b>Impoundment of dogs for the third time:</b>	<b>\$100.00</b>

**For the fourth and subsequent impoundments in the same calendar year, \$200.00 will be charged.**

**(c) A maintenance fee of \$7.50 per day or part day of impoundment may be charged.**

**(d) For seizing and impounding a vicious dog \$200.00 fine for each time said dog is impounded.**

- |                               |                  |
|-------------------------------|------------------|
| <b>5. Vicious Dog License</b> | <b>\$ 200.00</b> |
|-------------------------------|------------------|