



**CITY OF KAMLOOPS**

**DOG RESPONSIBILITY AND CONTROL**

**BYLAW NO. 34-42**

**Effective Date - May 31, 2011**

*Consolidated for Convenience Only*

This is a consolidation of "City of Kamloops Dog Responsibility and Control Bylaw No. 34-42, 2011". 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 Bylaws**

**Effective Date**

Bylaw No. 34-43	Amends liability requirement	September 20, 2011
Bylaw No. 34-44	Amends licence rates	January 31, 2012
Bylaw No. 34-45	Exempts assistance/guide dogs from two-dog limit	January 22, 2013
Bylaw No. 34-47	Fee Increases	January 1, 2015

The bylaw numbers in the margins of this consolidation refer to the bylaws that amended the principal bylaw "City of Kamloops Dog Responsibility and Control Bylaw No. 34-42, 2011".

*This is a consolidated bylaw prepared by the City of Kamloops for information only. To verify the accuracy and currency of this information, please contact Legislative Services at 250-828-3483 or email [legislate@kamloops.ca](mailto:legislate@kamloops.ca).*

## CITY OF KAMLOOPS

### BYLAW NO. 34-42

#### A BYLAW TO REGULATE THE KEEPING OF DOGS WITHIN THE CITY OF KAMLOOPS

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The Municipal Council of the City of Kamloops, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as "City of Kamloops Dog Responsibility and Control Bylaw No. 34-42, 2011".
2. City of Kamloops Dog Responsibility and Control Bylaw No. 34-32 is hereby repealed.
3. The purpose of this bylaw is to regulate the keeping of dogs within the City of Kamloops; to provide for the seizure and impoundment of dogs; and to provide for the fixing, imposing, and collecting of fees from and the issuance of licences to persons who own, possess, or harbour a dog or dogs.
4. Metric units and imperial measurements are used for measurements in this bylaw.
5. This bylaw is divided into the following divisions:

Division One	Interpretation
Division Two	Definitions
Division Three	Authority
Division Four	Licensing
Division Five	Maximum Number of Dogs
Division Six	Enclosure and Kennels
Division Seven	Dogs in Public
Division Eight	Care and Cleanup
Division Nine	Seizure and Impoundment
Division Ten	Release Requirements
Division Eleven	Fees
Division Twelve	Dangerous Dogs
Division Thirteen	Aggressive Dogs
Division Fourteen	Nuisance Dogs
Division Fifteen	Obstruction
Division Sixteen	Offences and Penalties
Division Seventeen	Schedules

#### DIVISION ONE - INTERPRETATION

101. If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the bylaw and such invalidity shall not affect the validity of the remaining portions of this bylaw.

102. Words or phrases defined in the *British Columbia Interpretation Act*, *Community Charter*, or *Local Government Act* or any successor legislation shall have the same meaning when used in this bylaw unless otherwise defined in this bylaw. Unless otherwise stated, and notwithstanding the case used (upper case or lower case), when words or phrases that are defined in this Section 201 of this bylaw are used in the body or schedules of this bylaw, they have the meaning ascribed to them as set out in Section 201.
103. The headings contained in this bylaw are for convenience only and are not to be construed as defining or in any way limiting the scope or the intent of the provisions of this bylaw.
104. All schedules of this bylaw are attached to and form part of this bylaw and are enforceable in the same manner as this bylaw.
105. In the event of any conflict between the schedules of this bylaw and Sections 201 to 1604 of this bylaw, Sections 201 to 1604 shall take precedence over the schedules.

## DIVISION TWO - DEFINITIONS

201. In this bylaw, unless the context otherwise requires:

"AGGRESSIVE DOG" means a dog that meets any one or more of the following conditions:

- a) an unprovoked dog that has attacked, bitten, or caused injury to a person or has demonstrated a propensity, tendency, or disposition to do so;
- b) a dog that, while running at large, has attacked, bitten, killed, or caused injury to a domestic animal;
- c) a dog that, while running at large, has aggressively pursued or threatened a person;
- d) a dog that, while running at large, has aggressively pursued or threatened a domestic animal;
- e) a dog with a demonstrated propensity to attack or injure a person without provocation;
- f) a dog relocated to Kamloops from another jurisdiction that had deemed said dog as aggressive, vicious, or other similar designation for demonstrated aggression; or
- g) a dog previously deemed "dangerous" under Dog Responsibility and Control Bylaw No. 34-32, as amended from time to time.

"ANIMAL CONTROL OFFICER" means the Community Safety and Enforcement Manager, a Bylaw Enforcement Officer, and any police officer.

"BYLAW ENFORCEMENT OFFICER" means a person employed by the City as a Bylaw Enforcement Officer or a Bylaw Services Officer.

"CERTIFIED GUIDE OR ASSISTANCE DOG" means a dog certified to be used as a practical companion for the disabled while acting in that capacity.

"CITY" means the City of Kamloops.

"COMMUNITY SAFETY AND ENFORCEMENT MANAGER" means the person appointed as such from time to time by the City of Kamloops and any person delegated to assist in carrying out his/her duties under this bylaw.

"COUNCIL" means Municipal Council for the City of Kamloops.

"DANGEROUS DOG" means any dog that:

- a) has killed or seriously injured a person;
- b) has killed or seriously injured a domestic animal while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog; or
- c) an Animal Control Officer has reasonable grounds to believe is likely to kill or seriously injure a person.

"DOG" means an animal of the canine species, irrespective of sex or breed, located within the City.

"DWELLING UNIT" means a single family dwelling (excluding secondary suites), townhouse, condominium, apartment or mobile home.

"ENCLOSURE" means an enclosure as described in Division Six of this bylaw.

"HOBBY KENNEL" means a place where a person is engaged only in the breeding of his or her own dogs and where the raising or breeding of these dogs is not consistent with running a business.

"IMPOUND" means seize, deliver, or taken into the pound or into the custody of the Community Safety and Enforcement Manager or other City employee as authorized by the bylaw or the City of Kamloops Animal Control Bylaw No. 34-11, as amended from time to time, and "impounded", "impounding", or "impoundment" have a similar meaning.

"KENNEL" means a premise used for the keeping, training, care, breeding, hospitalization, or boarding of dogs and is operated as a business.

"LEASH" means a rope, chain, cord, leather strip, or other device attached to the collar of a dog that is capable of controlling and restraining the activity of the dog such that the dog will conform to the requirements of this bylaw and that does not exceed 2.0 m (6.56 ft) in length.

"LICENCE" means a dog licence issued pursuant to this bylaw for the current licensing year.

"LICENSED DOG" means a dog wearing a metal tag attached to its collar or harness that is stamped with figures corresponding to a dog licence form issued for the current year and identified as being produced by the City pursuant to this bylaw.

"LICENSING YEAR" shall mean January 1 to December 31 in any year.

"NUISANCE DOG" means a dog:

- a) that has been impounded three times within the previous 12 months;
- b) whose owner has received a municipal ticket as a result of the dog running at large three times within the previous 12 months; or
- c) for which the number of impounds or municipal tickets issued to its owner as a result of the dog running at large totals at least three within the previous 12 months.

"OWNER" means the person who is named as the owner of the dog on the licence form referred to in this bylaw or, if the dog is unlicensed, the person who holds himself or herself out to be the owner of the dog.

"PARK OR PUBLIC AREA" includes:

- a) every public place, public park, playground, urban forest (including all driveways, roadways, paths, and lanes within a public park, playground, or urban forest), public beach, boulevard, swimming pool (whether indoor or outdoor), water playground, wading pool, community centre, public school, public library, art gallery, museum, arena, exhibition building, and all community recreational facilities owned or controlled by the City; and
- b) any real property acquired and held by the City and dedicated and reserved by it for the use, recreation, or enjoyment of the public or land designated for natural or environmental purposes.

"POSSESSOR" means a person who is over 16 years of age and who possesses, harbours, or has custody, charge, or control of a dog (including an unlicensed dog) or who permits a dog (including an unlicensed dog) to remain in or about the person's house or premises.

"POTENTIALLY AGGRESSIVE DOG" means a dog that an Animal Control Officer believes, on reasonable grounds, may be an aggressive dog.

"POUND" means a building or enclosure established as a pound by City Council and any location designated by the Community Safety and Enforcement Manager for the temporary shelter or containment of a dog or other animal under this or other applicable City bylaws.

"PARKS, RECREATION, AND CULTURAL SERVICES DIRECTOR" means the person appointed as such from time to time by the City of Kamloops and any person delegated to assist in carrying out his/her duties under this bylaw.

"RUNNING AT LARGE" or "RUN AT LARGE" means:

- a) a dog:
  - i) located on private property other than on the premises of the owner or possessor of the dog; and
  - ii) that is not under the immediate charge and control of a responsible and competent person;
- b) a dog located upon a highway or park or public area that is not secured on a leash held by a responsible and competent person;
- c) an aggressive dog that is on the premises of its owner or possessor and that is not contained in an enclosure, securely confined within a dwelling, or secured on a leash held by and which is under the immediate charge and control of a responsible and competent person; or
- d) a dog within a designated "off leash public park or other designated area" identified in Schedule "C" that does not comply with Section 704.

Despite the foregoing, a dog shall not be "running at large" if the dog is under the charge and control of:

- a) a responsible and competent person and is actively engaged in dog trials, dog shows, or other similar activities or other event approved by the City in accordance with other applicable bylaws; or
- b) a police officer, police constable, or other person employed for the preservation and maintenance of the public peace, an officer, or a person having the powers of a customs and excise officer when performing a duty in the administration of the *Customs Act* or the *Excise Act*, an officer or member of the Canadian Forces, or a duly licensed and qualified security guard while in the course of performing lawful duties.

"UNLICENSED DOG" means:

- a) a dog for which the licence for the current year has not been paid;
- b) a dog to which the tag required by this bylaw is not attached; or
- c) an aggressive dog where the dog or owner or possessor is found not to be in compliance with requirements under this bylaw.

### DIVISION THREE - AUTHORITY

301. The Community Safety and Enforcement Manager is authorized to enter at all reasonable times upon property subject to the regulations of this bylaw in order to ascertain whether the regulations are being obeyed and take into custody any animal violating this bylaw.
302. The Community Safety and Enforcement Manager is authorized to require any person in possession of a dog to immediately upon demand and without hindrance, delay, or obstruction, deliver into his or her custody the dog if it is a dangerous dog, a potentially dangerous dog, an aggressive dog, a potentially aggressive dog, a nuisance dog, an unlicensed dog, or a dog not bearing a collar or tag required under this bylaw or a dog that has been running at large whether or not that dog has taken refuge on a premises. If a person fails to comply with this section, he or she will be deemed to be guilty of obstruction and subject to the penalties provided for in this bylaw.
303. The Community Safety and Enforcement Manager is authorized to require any person in possession of a dog to immediately upon demand and without hindrance, delay, or obstruction, give to the Community Safety and Enforcement Manager the following information:
  - a) the name of the owner of the dog;
  - b) the number of dogs owned or harboured by him or her;
  - c) the age, sex, and breed or general description of any such dog;
  - d) proof that a valid licence has been paid and obtained in respect of the dog, when paid, and by whom; and
  - e) produce the tag for the dog.
304. The Community Safety and Enforcement Manager shall have the authority and the discretion to determine whether a dog is a "dangerous dog" or an "aggressive dog" and to change such a designation at any time, for the purposes of the bylaw.

DIVISION FOUR - LICENSINGDog Licences

401. The owner of a dog must, on or before the first day of February of each year or as soon thereafter as the dog attains the age of six months, obtain a licence for the dog pursuant to this bylaw and must cause the dog to wear around its neck a leather, canvass, or metal collar to which must be attached the metal tag referred to in Section 403 of this bylaw.
402. Application for a licence may be made to any of the Bylaw Enforcement Officers of the City or to such other persons as may be appointed by Council from time to time and the same are hereby authorized to receive such applications and to issue licences.
403. When issuing a licence, the City shall issue a metal tag impressed or stamped with a number corresponding to the number on the licence and with figures denoting the year in respect of which the licence was issued and with a distinguishing mark to indicate it was issued by the City. Aggressive dogs will be issued a distinctive tag. A record will be kept of all licences issued and, for the purpose of identification, a general description of the dog in respect of which the licence was issued.
404. A licence is valid for the calendar year in which it is purchased.
405. Where the owner of a dog in respect of which a licence has been issued ceases to own the dog, the licence shall be invalid.
406. If a person becomes the owner of a dog after the first day of February in any year, he or she shall obtain a licence immediately.

Licence Fees

407. The fees for licences for every dog six months of age and over shall be those fees described and identified in Schedule "D".
408. Any person who becomes the owner of a dog after June 30 in any year shall only be required to pay 50% of the applicable licence fee.
409. Before issuing a licence for a spayed female dog or a neutered male dog, the Bylaw Enforcement Officer, or authorized person, may require the owner to furnish proof that the dog has been spayed or neutered.
410. Where an owner presents proof that his or her dog has been neutered or spayed within the licensing year, reimbursement will be given on the difference between the annual licence fee for an unneutered or unsprayed dog and the fee for a neutered or spayed dog.



Replacement Dog or Replacement Tags

411. Where a licensed dog dies, the owner may transfer the licence to a replacement dog providing the owner advises the Community Safety and Enforcement Manager.
412. In the event a dog tag is lost, a replacement tag will be provided upon payment of the fee described and identified in Schedule "D" when the said current licence form is produced indicating a current year's licence has already been paid.

Exemptions

413. Licence registration will be provided at no charge to dogs and puppies registered in the Guide Dog in Training Program, used by the Royal Canadian Mounted Police, or personal assistance dogs, provided that appropriate proof of registration is presented to the Community Safety and Enforcement Manager or other authorized person.

Removal of Dog Tag Prohibited

414. No person, without the authority of the owner or possessor of the dog, will remove from a dog a collar, harness, or tag to which is attached the metal tag provided for in this bylaw or remove the tag from a dog.

DIVISION FIVE - MAXIMUM NUMBER OF DOGS

501. No one person, or more than one person, shall keep, harbour, or have more than two dogs over the age of six months on any parcel of land or dwelling unit within the City, provided however, that this section shall not apply to a person operating a kennel or hobby kennel, in a licensed veterinary clinic, or who is operating the parcel as a working cattle ranch or farm.

Exemption for Registered Guide/Personal Assistance Dogs

- (34-45) 502. Dogs and puppies registered in the Guide Dog in Training Program or registered as personal assistance dogs shall be exempt from the limit on the maximum number of dogs, provided proof of guide or personal assistance registration is given to the City and such dog or puppy resides with the person for whom the dog provides care and assistance to.

DIVISION SIX - ENCLOSURES AND KENNELSEnclosures and Structures

601. No person shall use or locate any structure, pen, or enclosure for the keeping, housing, or harbouring of a dog or dogs within:
- a) 1.0 m (3.28 ft.) of a property line; or
  - b) within the minimum clearance requirements from all property lines as regulated by the City of Kamloops Zoning Bylaw for the zone in which it is located,
- whichever is greater.

602. Every owner or possessor of an aggressive dog shall build or maintain at all times an enclosure upon his or her premises or property owned or controlled by him or her, and such enclosure must be:
- a) at least 1.83 m (6 ft.) in height, 1.22 m (4 ft.) in width, and 2.44 m (8 ft.) in length;
  - b) constructed with secure sides, top, and bottom and suitable for the size and strength of dog to prevent it from escaping;
  - c) provided with impervious surfacing (for instance, concrete slabs) for the bottom of the enclosure to prevent digging and to facilitate cleaning and sanitizing;
  - d) provided with signs posted at all entrances stating "No Unauthorized Entry" and "Aggressive Dog";
  - e) locked to prevent entry of young children or other unauthorized persons;
  - f) provided with shelter suitable for the size of the dog and to provide shade from the sun and to protect it from varying weather conditions; and
  - g) used for the temporary confinement of a dog for no longer than 12 hours in every 24 hour period.

#### Kennels and Hobby Kennels

603. All persons operating a kennel or hobby kennel within the City must have a valid licence issued pursuant to this bylaw and must comply with this bylaw.
604. No person shall use any premise as a kennel or a hobby kennel for the keeping, training, care, breeding, hospitalization, or boarding of dogs on any parcel of land within the City unless the said parcel is specifically permitted by the City of Kamloops Zoning Bylaw.
605. Any person operating a kennel must first obtain a City business licence and satisfy all other applicable City bylaws and provincial regulations.
606. Any person or persons operating a hobby kennel must be engaged only in the breeding of their own dogs, must hold a current membership with the Canadian Kennel Club, and shall have no more than five dogs, all of which must be licensed.
607. Floors of all structures or rooms used in a kennel or hobby kennel to accommodate dogs shall be of a sanitary construction, provided with drainage, and approved by the local health authorities.

DIVISION SEVEN - DOGS IN PUBLICRunning at Large Prohibited

701. No owner or possessor of a dog will allow the dog to run at large in the City.

Prohibited Parks and Areas

702. No owner or possessor of a dog will allow the dog to be within a park or public area identified in Schedule "A".

Leashed Parks and Areas

703. No owner or possessor of a dog will allow the dog to be within a park or public area identified in Schedule "B", unless the dog is, at all times, kept on a leash held by and which is under the immediate charge and control of a responsible and competent person. Despite the definition of leash in Section 201, while in a park or public area identified in Schedule "B", all dogs other than aggressive dogs, may be leashed using a leash that is 7.0 m (22.96 ft.) in length.

Off-leash Parks and Areas

704. No owner or possessor of a dog will allow the dog to be within or off-leash in the areas designated in Schedule "C", unless the owner or possessor complies with all requirements of this or any other applicable bylaw and maintains the dog under their direct control including by:

- a) ensuring the dog wears a collar and a valid licence tag;
- b) ensuring the person has in his or her possession at all times a leash to control the dog;
- c) keeping the dog within view and in voice control;
- d) taking immediate physical control of the dog in the event of aggression or conflict with another dog;
- e) ensuring the dog is healthy and has all current vaccinations and shots;
- f) ensuring the dog is over four months of age;
- g) following all posted rules and regulations posted on signs for the park or public area; and

aggressive dogs are not permitted in off-leash parks and public areas.

Dog Events

705. No person shall hold a dog show, obedience class, trial, performance, ceremony, gathering, or meeting within a park or public area without prior written approval from the Parks, Recreation, and Cultural Services Director.

DIVISION EIGHT - CARE AND CLEANUPExcrement

801. No owner or possessor will allow the dog to deposit excrement in a park or public area property unless the person immediately removes the excrement and disposes of it in a sanitary manner.
802. No owner or possessor will allow the dog to deposit excrement on private property not belonging to the owner or possessor or onto private property on which the owner has not been invited, unless the person immediately removes the excrement and disposes of it in a sanitary manner.

Dog Suffering from Infectious or Contagious Disease

803. No person shall keep, harbour, or have in his or her possession any dog suffering from any infectious or contagious disease unless such dog is in isolation and under treatment for the cure of such infection or contagious disease.

DIVISION NINE - SEIZURE AND IMPOUNDMENTSeizure and Impoundment

901. The Community Safety and Enforcement Manager, Animal Control Officer, or a police officer may seize or impound a dangerous dog, a potentially dangerous dog, an aggressive dog, a potentially aggressive dog, a nuisance dog, an unlicensed dog, any dog not wearing a valid tag, or any dog running at large.
902. The Community Safety and Enforcement Manager, Animal Control Officer, or a police officer must immediately after making the seizure cause the dog to be impounded.
903. The Community Safety and Enforcement Manager must retain the dog for 96 hours. If:
- a) the dog is not reclaimed by its owner or other authorized person pursuant to this bylaw; and
  - b) fines and fees provided for in this bylaw are not paid and the other requirements as set out in this bylaw are not met;

after 96 hours, the dog may be disposed of by means of destruction, adoption, or sale, at the discretion of the Community Safety and Enforcement Manager.

904. Despite anything to the contrary herein, when a dog has been impounded and the dog is suffering from an injury, disease, or sickness from any cause, the Community Safety and Enforcement Manager may, in his or her discretion and in consultation with a veterinarian, immediately destroy the dog if it is the veterinarian's opinion that the dog would not survive the injury, disease, or sickness or that it would be an act of humanity to destroy the dog.

#### Notification of Impoundment

905. When the Community Safety and Enforcement Manager is aware of the name and address of the owner of any licensed dog impounded, he shall within 24 hours of the impounding or the first business day thereafter, attempt to notify the owner of the impoundment.
906. The Community Safety and Enforcement Manager may post a "Notice of Impoundment", containing a general description of the dog, at the pound, on the Internet, or in the newspaper.

### DIVISION TEN - RELEASE REQUIREMENTS

#### Release of Impounded Dog and Payment of Impound Fees

1001. Subject to this bylaw, the Community Safety and Enforcement Manager may permit a person who is not the owner of a dog to remove a dog from the pound, provided that the owner has provided written authorization for the same in the form satisfactory to the Community Safety and Enforcement Manager.
1002. When releasing a dog from the pound, the Community Safety and Enforcement Manager shall obtain from the owner or person authorized by the owner, his or her name and address, and shall record the date the dog was released from the pound in the pound records.
1003. Where a dog has been impounded under authority of this bylaw and the Community Safety and Enforcement Manager determines that one or more fines or fees provided for in this bylaw have not been paid, then the dog shall not be released from the pound until the owner or authorized person pays the fines and fees in full up to and including the date of impoundment.

#### Release Requirements - Unlicensed Dogs

1004. Subject to this bylaw, an unlicensed dog may be reclaimed upon payment of the prescribed licence fee, fines, any board and maintenance fees, and other applicable fees identified in Schedule "D".

#### Release Requirements - Licensed Dogs

1005. Subject to this bylaw, a dog which is not an unlicensed dog or a dangerous dog may be reclaimed upon payment of any board and maintenance fees, fines, and other applicable fees identified in Schedule "D".

Release Requirements - Aggressive Dogs

1006. Subject to this bylaw, an aggressive dog may be reclaimed upon the owner or authorized person providing:
- a) proof of ownership to the satisfaction of the Community Safety and Enforcement Manager;
  - b) proof of compliance with all requirements for keeping of an aggressive dog, including but not limited to:
    - i) an enclosure as per Section 602 of this bylaw;
    - ii) electronic microchip identification as per Section 1306 of this bylaw;
    - iii) liability insurance as per Section 1309 of this bylaw;
    - iv) a humane properly fitting muzzle; and
    - v) possession of a valid aggressive dog licence;
  - c) submission of a completed "Application for Release of Aggressive Dog" form;
  - d) full payment of any outstanding fines;
  - e) full payment of any board and maintenance fees and other applicable fees identified in Schedule "D"; and
  - (34-43) f) submission of a completed Release and Waiver of Liability, Assumption of Risks and Indemnity Agreement in the form provided by the City.
1007. The impound fees for aggressive dogs after the dog has initially been deemed aggressive shall be determined in accordance with Schedule "D".

Release Requirements - Nuisance Dogs

1008. Subject to this bylaw, a nuisance dog may be reclaimed upon the owner or authorized person providing:
- a) proof of ownership to the satisfaction of the Community Safety and Enforcement Manager;
  - b) full payment of any outstanding fines relating to the nuisance dog; and
  - c) full payment of all applicable fees, including board, maintenance and impound fees as identified in Schedule "D".
1009. The impound fees for nuisance dogs after the dog has initially been deemed nuisance are applicable while such dog has the nuisance designation and shall be determined in accordance with Schedule "D".

DIVISION ELEVEN - FEESFees - General

1101. Every person owning a dog shall be and remain liable for any fines and fees imposed by this bylaw in relation to the dog while owned by him or her, even if that person at any time ceases to own the dog, or does not reclaim the dog.

Purchase of Impounded Dog

1102. No person purchasing a dog from the Community Safety and Enforcement Manager shall remove the same from the pound until a licence and metal tag have been obtained therefor pursuant to the requirements in this bylaw.

1103. Every person purchasing a dog from the pound will be charged a fee as identified on Schedule "D".

Cremation/Destruction/Surrender at the Request of the Owner

1104. The owner of any dog or other person authorized in writing by the owner may, upon payment of the applicable fee(s) identified in Schedule "D":

- a) deliver a deceased dog owned by him or her to the pound for cremation;
- b) request pick up by an Animal Control Officer of a deceased dog owned by him or her for cremation;
- c) request pick up by an Animal Control Officer of a dog owned by him or her for humane destruction and/or cremation; or
- d) surrender to the pound a dog owned by him or her.

The Community Safety and Enforcement Manager may refuse to accept any of the above-mentioned dogs at his or her discretion.

DIVISION TWELVE - DANGEROUS DOGS

1201. No person shall own, possess, or harbour a dangerous dog within the city.

1202. In addition to the powers to seize and destroy a dangerous dog as provided for herein, the Community Safety and Enforcement Manager may detain a dangerous dog pursuant to Section 49 of the *Community Charter*, S.B.C., 2003, c. 26, and may seek an order to have the dangerous dog humanely destroyed. Should the order not be granted the dangerous dog shall automatically be deemed an aggressive dog.

1203. The owner of a dangerous dog may deliver such dog for immediate surrender and destruction in the interest of public safety and the Community Safety and Enforcement Manager may assess or waive associated destruction and cremation fee.

1204. In addition to the other fines or fees imposed by this bylaw, the court may make an award of legal costs against the owner of a dangerous dog for the legal costs incurred for making an application for a destruction order.

#### DIVISION THIRTEEN - AGGRESSIVE DOGS

1301. No owner or possessor of an aggressive dog shall allow the dog to be running at large.

1302. No owner or possessor of an aggressive dog shall allow the dog to be in any off-leash park or area identified in Schedule "C".

1303. No owner or possessor of an aggressive dog shall allow the dog to be on a street, highway, park or public place, or other place that is not owned, rented, or leased by the person unless the dog is muzzled to prevent it from biting a person or other animal.

1304. An owner or possessor of an aggressive dog shall at all times maintain upon its property an enclosure required under Section 602 of this bylaw.

1305. An owner or possessor of an aggressive dog located on the premises owned, rented, or leased by the person must keep the dog securely confined indoors, or in an enclosure that conforms with the requirements of Section 602, or secured to a leash held by and under the immediate charge and control of a responsible and competent person.

1306. An owner or possessor of an aggressive dog shall cause an electronic microchip identification to be implanted upon the dog by a certified veterinarian and have such identification registered with the Community Safety and Enforcement Manager.

1307. Any dog deemed aggressive shall immediately require an aggressive dog licence for the current year and the licence fee shall be the applicable fee identified in Schedule "D". If the aggressive dog has a previously issued licence for the current year, the owner shall pay the difference between the licence fee previously paid and the fee for an aggressive dog licence and failing that such dog shall be deemed to be an unlicensed dog and may be impounded.

1308. No owner or possessor of an aggressive dog shall allow the dog to be an unlicensed dog.

(34-43) 1309. An owner or possessor of an aggressive dog must:

- a) maintain valid liability insurance no less than \$2,000,000 in value; and
- b) submit to the City a completed Release and Waiver of Liability, Assumption of Risks and Indemnity Agreement in the form provided by the City.



1310. No owner or possessor of an aggressive dog shall fail or neglect to maintain valid liability insurance required under this bylaw, at any time.
1311. The number of times an aggressive dog is impounded, as referred to in Schedule "D", will be calculated by adding the number of times the dog has been impounded throughout its lifetime, not per calendar year.
1312. The owner or possessor of an aggressive dog must advise the Community Safety and Enforcement Manager at least one week prior to relocation of an aggressive dog for any permanent or temporary change of address within or outside of the City.
1313. If an aggressive dog is kept in a manner that contravenes any part of this bylaw, the aggressive dog may be impounded and the owner or possessor will be deemed to be guilty of an infraction of and subject to the fines and fees provided for in this bylaw.

#### DIVISION FOURTEEN - NUISANCE DOGS

1401. No owner or possessor of a nuisance dog shall allow the dog to be running at large.
1402. Any dog deemed a nuisance shall immediately require a nuisance dog licence for the current year and the licence fee shall be the applicable fee identified in Schedule "D". If the nuisance dog has had a previously issued licence for the current year, the owner shall pay the difference between the licence fee previously paid and the fee for a nuisance dog licence or such dog shall be deemed unlicensed and may be impounded.
1403. No owner of a nuisance dog shall allow the dog to be unlicensed.
1404. Any dog deemed nuisance shall maintain a nuisance dog designation for a minimum duration of the current year and one additional calendar year whereupon the owner may request such designation be removed upon licence renewal provided:
- a) the nuisance dog has not been running at large within the preceding 12 months; and
  - b) the owner has demonstrated full compliance with the requirements of this bylaw.
1405. If a nuisance dog is kept in a manner that contravenes any part of this bylaw, such nuisance dog may be impounded and the owner or possessor of the dog will be deemed to be guilty of an infraction of and subject to the penalties and fees provided for in this bylaw.

#### DIVISION FIFTEEN - OBSTRUCTION

1501. No person shall release or rescue or attempt to release or rescue a dog lawfully in the custody of the Community Safety and Enforcement Manager or the pound.
1502. No person shall hinder, delay, or obstruct the Community Safety and Enforcement Manager or any person or persons lawfully exercising their duties under this bylaw.

DIVISION SIXTEEN - OFFENCES AND PENALTIES

1601. No person shall do any act or permit any act or thing to be done in contravention of this bylaw.
1602. Every person who violates any provision of this bylaw, or who permits any act or thing to be done in contravention of this bylaw, or who fails to do any act or thing required by this bylaw, shall be deemed to have committed an offence against this bylaw and:
- a) shall be liable to a fine set out in the City of Kamloops Municipal Ticket Utilization Bylaw; or
  - b) shall be liable to a fine of not less than the amount identified in Schedule "E" in addition to any other penalty imposed under this bylaw; and
  - c) where a specific penalty has not otherwise been designated, shall be liable to a fine and/or penalty provided under the *Community Charter* of not less than One Hundred Dollars (\$100) and not more than Ten Thousand Dollars (\$10,000), plus the costs of prosecution, and any other order imposed pursuant to the *Community Charter*, or
  - d) any combination of the above.
1603. Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.
1604. Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or regulation.

DIVISION SEVENTEEN - SCHEDULES

The following schedules are attached to and form part of this bylaw and are enforceable in the same manner as this bylaw:

- Schedule "A" - Prohibited Public Parks and Areas  
Schedule "B" - Leashed Public Parks  
Schedule "C" - Off-Leash Public Parks and Other Designated Areas  
Schedule "D" - Licence, Impound and Other Fees  
Schedule "E" - Fines

ORIGINAL SIGNED BY P. G. MILOBAR  
\_\_\_\_\_  
MAYOR

ORIGINAL SIGNED BY L. W. HRYCAN  
\_\_\_\_\_  
CORPORATE OFFICER

**PROHIBITED PUBLIC PARKS AND AREAS**

Note: Certified guide or assistance dogs are not subject to these regulations:

Except where otherwise permitted pursuant to this bylaw, dogs are prohibited from:

- All parks and public areas;
- All picnic areas, wading pools, water play areas or playgrounds;
- All public buildings or grounds; and
- In particular, the parks listed below:

Acadia Park

Albert McGowan Park - including all natural wetland habitats

Allan Power Memorial Park

Belmont Rotary Playground

Bogetti Park

Braemar Tot Lot

Cambridge Park

Cammeray Park

Connaught Park

Cottonwood Park

Edgemount Tot Lot

Exhibition Park

Glen Nevis Tot Lot

Hillside Stadium - stadium synthetic field, upper and lower soccer fields

Hook's Playground

Humphrey Bird Sanctuary - including all natural wetland habitats

Invermere Park

Kemano Tot Lot

Kinsmen North

Kinsmen Tot Lot South

McArthur Island Park - including all sloughs and natural wetland habitats

McIntosh Park

McLean Tot Lot

Moose Playground Tot Lot

Prince Charles Park

Rayleigh Slo-pitch Park - ball diamonds, rugby fields, and plaza area

Richmond Playground

Riverside Park - including all public beaches

Saddleback Park

Sherbrooke Playground

Southview Park

Spartan Tot Lot

Thompson Park

Tournament Capital Centre - see "Hillside Stadium" above

Valleyview Centennial Park

**LEASHED PUBLIC PARKS**

Public parks and public areas where dogs are permitted with a leash up to 7.0 m (22.96 ft.) in length, except for aggressive dogs whose leashes cannot be longer than 2.0 m (6.56 ft.):

Aberdeen Hills Open Space Park  
Batchelor Park  
Brocklehurst Park  
Canada Games Rotary Tennis Centre  
Crestline Park - in undeveloped area between Community Garden site and ball field  
Dallas Park - walkway only  
Dominion Crescent Park  
Gaglardi Square Park  
Jack Gregson Trail  
Len Haughton Park  
McBeth Park  
McDonald Park  
Memorial Hill Park  
Mt. Dufferin Park  
Overlander Park  
Parkcrest Park  
Pemberton Terrace Park  
Pineview Valley Linear Park  
Pioneer Park  
Rae-Mor Park - dyke only  
Rayleigh Slo-pitch Park - perimeter path, open space, and other areas  
Rivers Trail - Schubert Drive area and portions of Riverside Park from Overlanders  
Bridge to 1st Avenue and from 3rd Avenue to Pioneer Park, and the airport  
to Cooney Bay  
Todd Hill Park  
West Pines Park  
Westmount Park  
Westsyde Centennial Park - dyke only

**OFF-LEASH PUBLIC PARKS AND OTHER DESIGNATED AREAS**

## Notes:

- Aggressive dogs are not permitted in the areas listed in this schedule.
- Dogs (other than aggressive dogs) are permitted to be off-leash in the following areas, but must be in the immediate charge and control of a competent and responsible person pursuant to Section 704 of this bylaw.

Batchelor Open Space Park  
Dallas/Barnhartvale Open Space Park  
Gleneagles Open Space Park  
Gordonhorn Open Space Park  
Kenna Cartwright Park  
Mission Flats Open Space Park  
Peterson Creek Park  
Rose Hill Open Space Park  
Sahali Terrace Open Space Park  
Strathcona Open Space Park  
Valleyview Recreation Centre Open Space Park  
Westside Centennial Park - only the area north and east of the dyke

Designated Dog Exercise Areas

Aberdeen Hills Dog Exercise Park  
Ord Road Dog Park  
River Street Dog Park  
Westside Dog Park

Beach Designated Areas

Mission Flats Open Space Park Beach  
Overlander Park Beach  
Pioneer Park Beach

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**LICENCE, IMPOUND, AND OTHER FEES  
(EFFECTIVE JANUARY 1, 2015)**

<b>Licence Fees:</b>	<b>Amount</b>	
	<u>to Dec. 31, 2014</u>	<u>Jan. 1, 2015</u>
For each not neutered male dog	\$60	\$65
For each neutered male dog	\$25	\$30
For each not spayed female dog	\$60	\$65
For each spayed female dog	\$25	\$30
For each kennel or hobby kennel	\$100	\$105
For each nuisance dog	\$100	\$105
For each aggressive dog	\$200	\$205
Replacement tag	\$10	\$15

<b>Impound Fees</b>		<b>Amount</b>
Unlicensed dog	(plus licence fee)	\$75
Licensed dog	First impound	\$75
	Second impound	\$100
	Third impound	\$200
Nuisance dog	First impound	\$500
	Second impound	\$1,000
	Third impound	\$2,000
Aggressive dog	First impound (no injury to person or domestic animal)	\$1,000
	Additional impounds (no injury to person or domestic animal)	\$5,000
	Any impound with injury to person or animal	\$5,000

**Impound Fee - Extra Costs**

The owner of a dog shall be responsible for any extraordinary costs and/or fees for equipment, labour, or services incurred and assessed by the City for:

- Extraordinary resources necessary to control and impound a dangerous dog, potentially dangerous dog, aggressive dog, potentially aggressive dog, nuisance dog, unlicensed dog, or dog at large; and
- Veterinary fees necessary to ensure appropriate care for the dog to relieve suffering or distress in the event of injury or sickness.

**Board and Maintenance Fees**

	<b>Per day</b>
Dog	\$12
Aggressive Dog	\$20

**LICENCE, IMPOUND, AND OTHER FEES  
(EFFECTIVE JANUARY 1, 2015)**

**Cremation/Destruction/Surrender**

a) Cremation fees:					
		<u>Small</u>	<u>Medium</u>	<u>Large</u>	<u>Extra Large</u>
Communal Cremation (no ashes)		\$25	\$45	\$75	\$115
Private Cremation (ashes returned)		\$50	\$80	\$120	\$160

20% discount                      Residents of the City of Kamloops and veterinarians

Sizes shall be determined in accordance with the general breed description provided below for dogs and can be used for size consideration and/or adjusted given the age of the animal (i.e. a pup vs. an adult dog). Final determination with regard to the size and fee shall be the decision of the Community Safety and Enforcement Manager.

- Small -                              Chihuahua, Miniature Pinscher, "Toy" breeds, etc.
- Medium -                            Fox Terrier, Schnauzer, Poodles, etc.
- Large -                                German Shepherd, Rottweiler, Labrador Retriever, etc.
- Extra Large -                        Newfoundland, Great Dane, Cane Corso, etc.

- b) Pick up any deceased dog for cremation  
\$25, in addition to the applicable cremation fee.
- c) Pick up any dog for destruction  
\$100, in addition to the applicable cremation fee.
- d) Surrender a dog owned by him or her.  
\$80

## FINES

<b>Column 1</b> <b><u>OFFENCE</u></b>	<b>Column 2</b> <b><u>SECTION</u></b>	<b>Column 3</b> <b><u>PENALTY</u></b>
Licence required	401	\$100
Unlawful removal of collar or tag from dog	414	\$250
Exceed maximum number of dogs	501	\$100
Unlawful siting of structure/enclosure	601	\$100
Failure to provide proper enclosure	602	\$500
Unlawful kennel	603	\$500
Running at large	701	\$100
Dog in prohibited park or public area	702	\$100
Dog unlawfully in leashed park or public area	703	\$100
Dog unlawfully in off-leash park or public area	704	\$100
Fail to remove excrement from public lands	801	\$100
Fail to remove excrement from private lands	802	\$100
Contagious dog not isolated	803	\$500
Possess or harbour a dangerous dog	1201	\$1,000
Aggressive dog running at large	1301	\$1,000
Aggressive dog in off-leash park or public area	1302	\$250
Fail to muzzle an aggressive dog	1303	\$500
Fail to provide proper enclosure for aggressive dog	1304	\$500
Fail to secure an aggressive dog	1305	\$500
Fail to provide microchip identification	1306	\$250
Aggressive dog unlicensed	1308	\$400
Fail to insure aggressive dog	1310	\$500
Nuisance dog running at large	1401	\$200
Nuisance dog unlicensed	1403	\$200
Unlawful release of dog	1501	\$500
Obstruction	1502	\$500