

REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT

BYLAW NO. R1026

**A BYLAW FOR THE REGULATION OF ANIMALS IN  
ELECTORAL AREA "F" (CHERRY CREEK).**

**WHEREAS** the Regional District may, pursuant to the *Local Government Act*<sup>1</sup>, regulate the keeping and control of dogs and regulate in relation to dangerous dogs;

**AND WHEREAS** the Board has been established services to regulate animals within Electoral Area "F" (Cherry Creek);

**NOW THEREFORE**, the Regional District, in open meeting assembled, enacts the following:

1. APPLICABILITY

This bylaw shall apply to Electoral Area "F" (Cherry Creek).

2. DEFINITIONS

In this Bylaw:

(a) **"animal control officer"** means:

- (i) a regional district employee, officer or agent designated by the Board as an animal control officer for the purposes of this bylaw, or
- (ii) a peace officer;

(b) **"Board"** means the Board of the Regional District of Alberni-Clayoquot;

(c) **"dangerous dog"** means a dog that:

- (i) has killed or seriously injured a person,
- (ii) an animal control officer has reasonable grounds to believe is likely to kill or seriously injure a person, or
- (iii) 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.

(d) **"dog"** means any animal of the canine species;

(e) **"highway"** includes any street, road, land, bridge viaduct, and any other way open to the public;

(f) **"impounded"** means seized, detained, delivered, received or taken into the pound or in the custody of the Animal Control Officer, as provided herein;

(g) **"at large"** means being on a highway, public place or land which is not owned or occupied by the Owner of the animal. For the purpose of this Bylaw, an animal shall not be deemed to be "at large" if it is:

- (i) on property of its Owner;
- (ii) under the direct and continuous control of a person who is competent to control it, or
- (iii) securely fastened so that it is unable to roam;

(h) **"seize"** means to impound or detain;

(i) **"owner"** means a person who owns, possesses or harbours a Dog or a Dangerous Dog.

<sup>1</sup>Sections 703, 707 and 707.1

**3. DOG OWNERS RESONSIBILITIES**

- (a) No Owner of a Dog shall allow his or her Dog to bite, attack, terrorize or endanger a person or a domestic animal.
- (b) Every Owner of a Dangerous Dog must, at all times while the Dog is on the premises owned or controlled by such person, keep the Dog:
  - (i) securely confined indoors,
  - (ii) in an enclosed pen or other structure capable of preventing entry of children and adequately constructed to prevent the Dog from escaping, or
  - (iii) under the direct and continuous control of a person who is competent to control it.
- (c) No Owner of a Dangerous Dog shall permit it to be
  - (i) at large, on a highway or public place unless the Dangerous Dog is effectively muzzled, or
  - (ii) on a highway or public place unless the Dangerous Dog is on a leash or under control of a competent person.
- (d) No Owner of a Dangerous Dog shall permit it to be on any private lands and premises without the consent of the occupier of such lands and premises and when on such lands and premises the Dangerous Dog must be confined as set out in Section 3(b), or leashed or muzzled as set out in Section 3 (c).
- (e) The Owner of a Dangerous Dog must display at each entrance to the property and upon a building in which it is kept, a sign substantially in the form of Schedule "A", attached to and forming part of this Bylaw, and the sign must be posted so that it cannot be removed easily by passers by and it must be visible and capable of being read from each sidewalk, road or land abutting the property.
- (f) The Owner of a Dangerous Dog shall:
  - (i) within two working days of selling or giving away a Dangerous Dog, provide the Animal Control Officer with the name, address and telephone number of the new Owner;
  - (ii) advise the Animal Control Officer within two days of the death of a Dangerous Dog and provide a Veterinarian's certificate of death; and
  - (iii) advise the Animal Control Officer forthwith if a Dangerous Dog is At Large in contravention of this bylaw or has bitten or attacked any person or domestic animal.

**4. CONTROL AND IMPOUNDING OF ANIMALS**

- (a) The Animal Control Officer is hereby designated as the animal control officer defined in Section 49 of the *Community Charter* and the authority in that section is hereby delegated to the Animal Control Officer.
- (b) The Animal Control Officer may destroy any Dog he has seized which, upon examination by a licensed veterinarian, is found to be suffering from an acute or incurable disease or injury.

**5. ESTABLISHMENT OF POUNDS**

The Board authorizes entering into an agreement with a person, business or society for the purpose of establishing, maintaining and operating a pound.

6. **IMPOUND FEES**

- (a) An Owner whose Dog has been seized and Impounded shall pay to the Regional District an impounding fee of \$100.00 for the first impoundment, \$200.00 for the second impoundment and \$500.00 for the third or subsequent impoundment, and
- (b) Maintenance costs of \$75.00 per day or portion of a day that the Dog has been impounded.

7. **PENALTY**

Every person who contravenes this bylaw commits an offence and, upon summary conviction, shall be liable to a fine of not more than the maximum fine provided by the *Offence Act*.

8. **SEVERANCE**

If a section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

9. **TITLE**

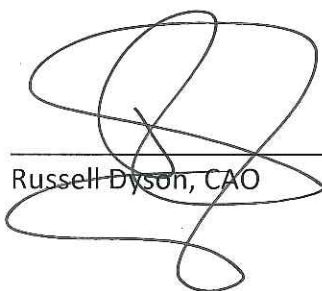

This Bylaw may be cited as the "Cherry Creek Dangerous Dog Regulation Bylaw No. R1026, 2014".

Read a first time this 12<sup>th</sup> day of March, 2014.

Read a second time this 12<sup>th</sup> day of March, 2014.

Read a third time this 12<sup>th</sup> day of March, 2014.

ADOPTED this 12<sup>th</sup> day of March, 2014.

  
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Russell Dyson, CAO  
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Chair of the Regional Board



Schedule "A"

This schedule is attached to  
and forms part of Bylaw R1026

# WARNING

DANGEROUS DOG ON PREMISES

