

TOWN OF CRESTON

**Consolidated to
December 13, 2011**

BYLAW NO. 1406

A bylaw for the control and regulation of dogs, farm and other domestic animals, birds, and bees.

WHEREAS pursuant to the Municipal Act, Council may by bylaw regulate or prohibit, dogs, farm and other domestic animals, birds, and bees within the Town of Creston;

NOW THEREFORE, the Town Council of the Town of Creston, in Open Meeting assembled, enacts as follows:

Section 1.0 CITATION

1.1 This bylaw may be cited as "Animal Control Bylaw No. 1406, 1997".

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SECTION 2.0 DEFINITIONS

2.1 In this bylaw, unless the context otherwise requires:

"**Animal**" means and includes a farm animal, dog, cat, rodent, reptile, bird, or any other domesticated animal;

"**Animal Control Officer**" means the Works Superintendent and his designates, and includes any person appointed as a bylaw enforcement officer in accordance with Section 36 of the Police Act;

"**At large, Run at large, or Running at large**" means being elsewhere than on the premises of the person having the custody, care or control of any dog, and not being under the control of the owner, keeper or harbourer either by being securely leashed, tethered or penned, or confined within a building or other enclosure or a fence;

"**Bees**" means bees of any species;

"**Bird**" means and includes a bantam, ornamental bird, pigeon, dove, showbird and any type of poultry;

"**Clerk**" means that person so appointed to that position by the Council of the Town of Creston;

"**Collector**" means that person so appointed to that position by the Council of the Town of Creston;

"**Council**" means the municipal council of the Town of Creston;

"**Day**" means a continuous period of 24 hours;

"**Dog**" means any animal of the canine species irrespective of age or sex;

"**Emu**" means any bird of the dromaius family;

"**Farm Animal**" means a domesticated animal normally raised for food, milk, or as a beast of burden, and without limiting the generality of the foregoing, includes: Cattle, Mules, Horses, Donkeys, Swine, Sheep, Oxen, Goats, Llamas, Ostriches and Emus;

"**Fee**" and "**Fees**" means the fees and charges prescribed by the *Fees and Charges Bylaw*; **BL#1764**

"**Fees and Charges Bylaw**" means the Fees and Charges Bylaw in force from time to time and adopted by the Council under section 194 of the *Community Charter* or similar successor legislation; **BL#1764**

"**Kennel, Boarding**" means a property where three (3) or more dogs are kept, trained, cared for or boarded either for personal enjoyment, for remuneration, or for the purpose of sale;

"**Kennel, Breeding**" means a property where three (3) or more dogs are kept, trained, cared for and bred either for personal enjoyment, or for the purpose of sale;

"**Leash**" means a chain or other material not over 2 metres (6.5 feet) in length;

"**Licence**" means a dog licence issued and valid for the current licensing year;

"**Licensing year**" shall mean January 1st to December 31st in any year;

"**Municipality**" means the Town of Creston;

"**Ornamental Bird**" means any bird which is normally kept in a cage or aviary, primarily as a show or decorative bird and not for food or egg production, and without limiting the generality of the foregoing, includes: Canaries, Budgerigars, Mynah Birds, Parrots, Cockatoos, Ornamental Pheasants;

"**Ostrich**" means any bird of the struthio camelus species;

"**Owner**" means a natural person or body corporate and includes any person who has possession or custody of an animal, either temporarily or permanently, or keeps, houses or harbours the animal, or suffers the animal to remain on his premises;

"**Permit**" means a permit issued by the Clerk to keep animals, birds, bees, rodents or reptiles;

"**Person**" means and includes a person, family, firm, corporation or society;

"**Pigeon**" means all birds of the species Columbidae, including doves;

"**Poultry**" means all birds or fowl normally raised for food or egg production, and without limiting the generality of the foregoing, includes: Chickens, Geese, Turkeys, Ducks, and artificially reared Grouse, Partridge, Quail, Pheasant, Ptarmigan;

"**Pound**" means the facilities used by the municipality from time to time to harbour and maintain animals pursuant to this bylaw;

"**Pound Keeper**" means that person who operates the facilities used by the municipality as a pound;

"**Restricted Dogs**" means the following breeds: Pit Bull Terrier, American Pit Bull Terrier, Pit Bull, Staffordshire Bull Terrier, American Staffordshire Terrier, Rottweiler, Wolf X, or any dog of mixed breeding which includes any of the aforementioned breeds;

"**Reptile**" means all forms of reptile kept as pets and without limiting the generality of the foregoing, includes: Snakes, Iguanas, Lizards;

"**Rodent**" means all forms of rodent kept as pets, and without limiting the generality of the foregoing, includes: Rabbits, White Mice, Guinea Pigs, Hamsters and Chinchillas;

"**Town**" means, in accordance with the context, either the area incorporated as the Town of Creston or the said Town;

"**Unlicensed dog**" means a dog which does not have affixed to its collar or harness a valid and subsisting metal tag issued by the Town of Creston pursuant to this bylaw;

"**Vicious or Dangerous Animal**" means:

- (1) an animal which is not in or under the effective control of any person and which, in the opinion of the Animal Control Officer, is being a hazard or danger to persons and/or property;

- (2) any dog with a known propensity, tendency or disposition to attack without provocation other domestic animals or humans, or any dog which has bitten another domestic animal or human without provocation;

"Works Superintendent" means the person appointed to that position by the Council of the Town of Creston;

"Zone" means a zone established pursuant to the Town's Zoning Bylaw.

Section 3.0 GENERAL REGULATIONS

- 3.1 No person shall keep or harbour any animal, farm animal, bird, bees, poultry, rodent or reptile, except in accordance with the provisions of this bylaw.
- 3.2 Any animal or bird not specifically permitted by this bylaw is hereby prohibited. All swine are specifically prohibited.
- 3.3 An owner whose animal defecates on property other than his own shall remove forthwith any defecated matter deposited; failure to do so constitutes an offence under this bylaw.
- 3.4 Registered guide dogs for the blind shall be exempt from the all provisions of this bylaw except those contained in Section 5.0 and Section 6.0.
- 3.5 The Animal Control Officer is hereby empowered to enter any property in order that he may control, impound or destroy any dangerous, vicious, wounded or sick animal.
- 3.6 The Animal Control officer is hereby empowered to enter any property in order to take into custody any animal violating this bylaw.

Section 4.0 HEALTH, CARE AND SANITATION

- 4.1 Any person who keeps, harbours, houses or feeds any animal or bird shall ensure:
(1) that it is kept, housed and fed in a manner conducive to its good health and well-being;
and
(2) if it is injured or suffering from any disease, it is promptly examined and treated.
- 4.2 That structures, pens or enclosures used to accommodate the same shall be maintained in a clean and sanitary condition at all times and that all cleanings from such facilities are disposed of in a manner that will not create a nuisance or health hazard.
- 4.3 Any unclean, leaking, foul, unsafe and dangerous, defective or filthy drain, ditch, tank or gutter or any leaking or broken sloop, garbage or manure box or receptacle of like character, whenever or where ever found in the limits of the Town shall be deemed a nuisance and will be dealt with subject to the provisions of the Municipal Act.
- 4.4 The Animal Control Officer is empowered to order or cause the destruction of any animal suffering from an incurable disease.
- 4.5 No person shall keep, harbour or have in his possession any animal suffering from any infectious or contagious disease, unless such animal is in isolation and under treatment for the cure of such disease.

Section 5.0 VIOIOUS OR DISEASED ANIMALS

- 5.1 The Animal Control Officer is hereby empowered to enter onto any property in order that he may control, impound or destroy any dangerous, vicious, wounded or sick animal, or to take into custody any animal whose owner has violated this bylaw.
- 5.2 (1) Where the owner of an injured or vicious dog is known, the Animal Control Officer shall, within the first 24 hours of any such action taken, serve the owner with a copy of the Notice as set out in Schedule "C" of this Bylaw, either personally or by leaving it at or mailing it to the last known address of the owner.
- (2) Where the owner of an injured or vicious dog is unknown, notice of any action taken pursuant to Section 5.1 shall be posted at the Town Hall, and may be advertised in any other manner which the Animal Control Officer deems as appropriate.

Section 6.0 DOGS

General

- 6.1 No person shall keep, harbour or have more than two dogs over the age of six months on any parcel of land within the Town.
- 6.2 Section 6.1 above shall not apply to a person operating a kennel, veterinary clinic or animal hospital, or who is engaged only in breeding his own dogs and operates under a membership currently registered with the Canadian Kennel Club and is complying with all other Town bylaws.
- 6.3 No person, whether or not he is the owner of a dog which is being or has been pursued or captured, shall:
- (1) interfere with or attempt to obstruct, delay or hinder the Animal Control Officer who is attempting to capture or who has captured a dog which is subject to being impounded pursuant to the provisions of this bylaw. or
- (2) unlock or unlatch or otherwise open the vehicle or cage in which dogs kept for impoundment have been placed so as to allow or attempt to allow a dog to escape therefrom.
- 6.4 No person shall:
- (1) Untie, loosen or otherwise free a dog which has been tied or otherwise restrained; or
- (2) Negligently or willfully open a gate, door or other opening in a fence or enclosure in which a dog has been confined and thereby allow a dog to run at large in the Town.
- (3) Permit or cause the dog to bark, yelp, howl or make any other frequent noise which interrupts the quiet, peace and enjoyment of the neighbourhood.
- 6.5 No person shall tease, torment or annoy a dog.
- 6.6 Nothing in this bylaw shall restrict the application of Sections 6 and 8 of the Livestock Protection Act.

Licencing

- 6.7 The owner of any dog over the age of six (6) months shall acquire a valid and subsisting licence for the said dog pursuant to the provisions of this bylaw.
- 6.8 Every person who owns, possesses or harbours a dog shall obtain an annual licence therefore before the first day of February in each year; and if a person becomes the owner, possessor or harbourer of a dog after that date, he shall forthwith obtain a licence therefore.

- 6.9 Every licence issued under this bylaw shall expire on the thirty-first day of December next following the date on which the licence was issued.
- 6.10 Every application for a dog licence shall be made to the Collector at the Town Office, and the applicant shall have a description of each dog as may be required.
- 6.11 No person shall give false information on an application for a licence.
- 6.12 The fees for a dog licence are prescribed in the *Fees and Charges Bylaw*. **BL#1764**
- 6.13 A licence shall not be issued for a spayed female dog or a neutered male dog until the applicant for the licence has produced a written certificate from a veterinarian indicating that the dog has been spayed or neutered.
- 6.14 Where the owner of a dog has purchased a licence and paid the specified fee for an unspayed or unneutered ("unfixed") dog, the amount equal to the difference between the licence fee for "fixed" and "unfixed" dogs, will be refunded if the owner provides proof that the dog has been neutered or spayed within the previous three (3) months.
- 6.15 Every dog licence issued under this bylaw shall consist of a metal tag on which is impressed or stamped the licence number, the year for which the licence is valid, and the word "Creston".
- 6.16 Each person having paid the prescribed fee for a dog licence shall receive a dog licence tag which shall be fastened to a collar, leash or harness worn by the dog at all times while off the property of the owner thereof.
- 6.17 No person other than its owner shall remove any collar, harness, badge, or tag from any licensed dog.
- 6.18 A copy of the licence application, giving the tag number, sex, breed and tattoo number where available, fee paid, and date, shall be issued by the Collector at the time of payment for the licence.
- 6.19 The fees specified Section 6.12 shall be reduced by 50% for any dog acquired and/or brought into the Town after the 31st day of August in any year.
- 6.20 Where the metal tag becomes lost or damaged, the owner may, upon application and payment of a fee, receive a replacement tag. **BL#1764**
- 6.21 No person is entitled to a rebate of the fee paid for a dog licence under this bylaw.

Control & Impounding

- 6.22 Every person who owns, harbours or possesses a dog shall ensure that the dog is not running at large.
- 6.23 No dog shall be permitted off the premises of its owner except on a leash and under the supervision of a person competent to control it at all times.
- 6.24 The Animal Control Officer may capture and impound any dog in respect of which he believes or has reasonable grounds to believe an offence under this bylaw is being or has been committed.

- 6.25 The owner of a dog shall ensure that the dog shall not:
- (1) bite or chase any person whether or not on the property of the owner;
 - (2) bite, bark at, or chase livestock, bicycles, automobiles or other vehicles;
 - (3) cause damage to property or other animals;
 - (4) go into any town park.
- 6.26 No person shall take or let any dog out of the pound without the consent of the Animal Control Officer, and until the required fees and fines have been paid.
- 6.27 If the owner of an impounded dog has the animal spayed or neutered, prior to release from the pound, the Town will waive the penalty for the dog being at large.

Notification

- 6.28 (1) If the Animal Control Officer knows or can ascertain the name of the owner of any impounded dog, he shall, within the first 24 hours of the impoundment, serve the owner with a copy of the Notice as set out in Schedule "C" of this Bylaw, either personally or by leaving it at or mailing it to the last known address of the owner.
- (2) Where the owner of an impounded dog is unknown, notice of impoundment shall be posted at Town Hall, and may be advertised in any other manner which the Animal Control Officer deems as appropriate.
- 6.29 It shall be the duty of the Pound keeper to keep a book in which shall be recorded:
- (1) a description of each dog impounded,
 - (2) the name of the person who took or sent same to be impounded,
 - (3) the day and hour on which the dog was impounded,
 - (4) the day and hour on which the dog was reclaimed, sold, or destroyed,
 - (5) the name of the person to whom the dog was sold;
 - (6) and the amount of pound fees paid for redemption.

Reclaiming

- 6.30 The owner of any impounded dog may reclaim it from the Pound by:
- (1) paying to the Collector the applicable fines, fees and penalties; **BL#1764**
 - (2) producing a copy of the receipt and proving ownership to the pound keeper;
 - (3) obtaining a licence for the dog, should it be unlicensed.
- 6.31 Where the day is a Saturday or a Statutory Holiday on which the pound is open, and the owner proves to the pound keeper his ownership of an impounded dog, the boarding charges for the Saturday or the Statutory Holiday shall be waived by the Town. Notwithstanding, the owner may not reclaim the dog until he has paid the applicable fines and fees in accordance with the procedure outlined in Section 6.28.
- 6.32 All fees pertaining to impoundment shall be paid to the Collector in cash (in the lawful currency of Canada) or by certified cheque. **BL#1764**
- 6.33 Where a dog has been impounded under authority of this bylaw and it is determined that one or more violation notices previously issued have not been paid, the dog so impounded shall not be released from the pound until the owner pays in full for all such violations, together with costs outstanding up to and including the date of impoundment.

Sale or Destruction

- 6.34 After a dog has been retained in the Pound for:
- (1) five (5) calendar days, excluding Sundays and Statutory holidays, when the name and address of the owner are known; or
 - (2) three (3) calendar days, excluding Sundays and Statutory holidays, if the name and address of the owner are not known;
- the Animal Control Officer may cause the dog to be sold or destroyed.
- 6.35 The Animal Control Officer may order that a dog be retained for a longer period if in his opinion the circumstances so warrant.
- 6.36 No person who obtains or purchases a dog from the pound may remove such dog until a licence (if the dog is to be kept within the Town boundaries) has been obtained.

Complaints of Owner

- 6.37 The owner of any impounded dog may, prior to the sale or destruction of the dog as provided in Section 6.34, give notice in writing to the Clerk of the Town that he intends to complain to a Justice against the impoundment of the dog. On receipt of such notice and upon receiving on deposit the amount of the fees due, the pound keeper shall be ordered to release the dog. The money so deposited shall remain on deposit subject to the order of the Justice. **BL#1764**
- 6.38 After serving notice to the Clerk, the owner then has seven days to lodge his complaint with a Justice.

Kennels

- 6.39 An owner of a breeding kennel, upon submitting proof of membership in the Canadian Kennel Club and proof of compliance with all other relevant municipal bylaws, shall be issued licence tags for each dog kept in the kennel.
- 6.40 An owner of a boarding kennel shall not keep or care for more than ten (10) dogs over the age of four months in the boarding kennel.
- 6.41 An owner of a breeding kennel shall not keep or care for more than five (5) dogs over the age of four months on the property.
- 6.42 The owner or operator of a kennel shall not:
- (1) permit or cause a dog to be unattended or uncontrolled in an open air run in a kennel between the hours of 9:00 p.m. and 7:00 a.m.;
 - (2) allow a dog to run loose in a kennel except in an adequately fenced area;
 - (3) permit or cause barking, yelping, howling or other frequent noise to emanate from a kennel.
- 6.43 The owner or operator of a kennel shall:
- (1) ensure that all dogs in the kennel are under control and are restrained from frequent barking, yelping, howling, or making other noise;
 - (2) keep the kennel at all times in good repairs;
 - (3) keep the kennel and the yard surrounding it at all times in a clean and sanitary condition and free of vermin and rodents;
 - (4) collect all uneaten food from the kennel daily; wrap it and place it in a garbage can for collection;

- (5) dispose of all manure, dung, or refuse and all liquid wastes from the kennel in a manner which meets the approval of the Medical Health Officer and the Town;
- (6) dispose of all hair clippings and waste paper in a sanitary manner;
- (7) keep the kennel regularly cleaned and disinfected, and free of any offensive or disagreeable odours to the satisfaction of the Medical Health Officer.

Section 7.0 FARM ANIMALS

General

- 7.1 No person shall keep any animal on any parcel of land within Town boundaries, with a valid permit issued under this bylaw.
- 7.2 No person shall keep or harbour any farm animal on any parcel of land in the Town unless the said parcel has an area of not less than one hectare (2.47 acres), and is agriculturally zoned.
- 7.3 No person shall keep or harbour more than two farm animals per one hectare (2.47 acres) on any parcel of land within the Town.
- 7.4 Subsections 1 and 2 do not apply to a person who is engaged in the operation of a veterinary clinic, animal hospital, or a pound facility.
- 7.5 No person shall keep any Ostrich(es) or Emu(s) on any parcel of land within Town boundaries without complying with the housing and fencing guidelines, as outlined by the Canadian Ostrich Association which are attached to and form a part of this bylaw as Schedule "D", and shall include mandatory perimeter-boundary fencing ten (10) feet from the existing fence line' said fencing to be at least six (6) feet high, and all other provisions of this bylaw.

Clearance Requirements

- 7.6 No person shall use any building, barn, stable, pen or enclosure for the keeping, housing, or harbouring of farm animals unless such building, barn, stable, pen or enclosure is located at least 15 metres (49.21 ft) from any property line of the parcel of land on which the farm animal or animals are kept.
- 7.7 No person shall keep, house or harbour any farm animal in any building used for human habitation or in any addition or structure attached to any such building.
- 7.8 No person shall keep, house, or harbour any farm animal in any bar, stable, building, pen or enclosure within 15 metres (49.21 ft) of any building used as a human habitation.

Control and Impounding

- 7.9 No farm animal owned, housed or harboured by any person or in his charge shall:
 - (1) run at large, stray or graze on any highway, boulevard, park or public place within the Town.
 - (2) trespass on any private property within the Town.

Section 8.0

BL#1705

Section 9.0 RODENTS AND REPTILES

- 9.1 Unless otherwise noted by a permit issued by the Town, a maximum of two rodents or reptiles may be kept on any parcel of land subject to the following conditions:

- (1) they shall not be permitted to run at large and must be confined to the property of their owner.
- (2) any building, structure, pen or enclosure shall be situated in accordance with the setbacks specified in the Zoning Bylaw.

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

Section 10.0 POULTRY

General

- 10.1 No person shall keep any poultry on any parcel of land in the municipality unless the said land has a minimum area of one (1) hectare (2.47 acres), and is agricultural zoned.
- 10.2 No person may keep more than thirty head of poultry.
- 10.3 The keeping of roosters is prohibited within the boundaries of the Town of Creston.

Clearance Requirements

- 10.4 No person shall keep any poultry in any shed, stable, coop, pen yard or other enclosure situated at a distance less than 15 metres (49.21 feet) from any human habitation.
- 10.5 No person shall keep any poultry in any shed, stable, coop, pen yard or other enclosure situated at a distance less than 15 metres (49.21 feet) from any property line.

Control

- 10.6 No poultry owned, kept or harboured by any person, or under his control, shall
- (1) run at large, stray or graze on any highway, park or public place;
 - (2) trespass on any private property.

Section 11.0 ORNAMENTAL BIRDS

- 11.1 A maximum of ten (10) Ornamental birds may be kept on any parcel of land within the Town provided that they are housed and enclosed at all times on the parcel on which they are kept.

Section 12.0 PIGEONS

General

- 12.1 No person shall keep pigeons on a parcel of land less than one hectare (2.47 acres) in area.
- 12.2 The maximum number of pigeons permitted is 10.

Clearance Requirements

- 12.3 No person shall use any structure, pen or enclosure for the keeping of pigeons unless it is located at least 15 metres (49.21 feet) from any property line.

- 12.4 No person shall use any structure, pen or enclosure for the keeping of pigeons unless it is located at least 15 metres (49.21 feet) from any human habitation.

Control

- 12.5 No pigeon owned or kept by any person, or under his control shall
- (1) stray, feed, or roost on any highway or public place
 - (2) trespass on any private property.

Section 13.0 BEES

- 13.1 No person shall keep bees on any parcel of land within the municipality unless the said land has a minimum area of one hectare (2.47 acres), and is agriculturally zoned.
- 13.2 No person, shall keep or harbour bees within the municipality, without a permit issued by the Clerk.

Section 14.0 ENFORCEMENT, FINES AND PENALTIES

- 14.1 Permits for Non-Conforming Status and Conforming Status of Animals, Birds, Bees, Rodents and Reptiles are outlined in Schedules “E” & “F”, which are attached to and forms a part of this Bylaw. No person shall keep or harbour any animal, bird, poultry, bees, rodents or reptiles except in compliance with this bylaw and a valid permit. Any person receiving a permit shall produce it upon request of the Animal Control Officer. **BL#1425**
- 14.2 The Clerk may refuse to issue a permit where in his opinion, the keeping of animals, birds, bees, rodents or reptiles would create concerns for public health, public safety, or would result in the violation of any other municipal bylaw.
- 14.3 Should an application for a permit be denied, or if any person should have any objection the issuance or continuance of any permit, that person may state his written objection to Council who may order the issuance or cancellation of any permit by Council resolution.
- 14.4 The Animal Control Officer may issue a Bylaw Notice to any person who has contravened this bylaw. Notwithstanding, nothing shall limit or remove the right of the Town to prosecute any offence by way of an information being laid and a summons issued in accordance with the procedures set out in the Offence Act. **BL#1773**
- 14.5 Should any holder of a permit cease to keep or harbour any noted animal, bird, bees, rodent or reptile for a continuous period of 6 months, the permit shall then be considered as abandoned and will be revoked.
- 14.6 Any person who, at the time this bylaw is adopted, is lawfully keeping animals, birds, bees, rodents or reptile which are in contravention of this bylaw may continue to do so provided that they register their non-conforming status and obtain a valid permit with 90 days of the adoption of this bylaw. Nothing in this bylaw shall prevent the Clerk or Council from issuing a permit under this circumstance.
- (1) Any person who, subject to section 14.1, fails to register their status and obtain a valid permit within the time limit shall be required to fully comply with all provisions of this bylaw and is liable to enforcement, penalties and fines herein.
- 14.7 The Animal Control Officer shall be deemed to be an officer of the municipality and is empowered to enter onto any property for the purpose of determining whether or not the provisions of this bylaw are being carried out.

- 14.8 Any person lawfully performing any act, at the request of the Animal Control Officer to enforce the provisions of this bylaw shall be deemed to be an assistant Animal Control Officer and shall be entitled to all protection as such.
- 14.9 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects or refrains from doing anything required by a provision of this bylaw, is guilty of an offence and is liable, upon summary conviction, to a fine not exceeding \$10,000 and not less than \$2,500, and is guilty of a separate offence each day that a violation continues or exists.
BL#1773
- 14.10 **BL#1773**
- 14.11 All fines and penalties shall be paid to the Collector, at the Town Hall, by certified cheque or in cash (in the lawful currency of Canada).

Section 15.0 GENERAL

- 15.1 As of the year 1997, Administration will invite tenders from applicable businesses in Town Boundaries, for a three (3) year contract for Animal Pound Facilities and Services.
- 15.2 Animal Control Bylaw No. 1124 and all amendments are hereby repealed.
- 15.2 This bylaw shall come into full force an effect upon adoption.

READ A FIRST TIME by title and SECOND TIME by content this 6th day of October, 1997.

READ A THIRD TIME by title this 6th day of October, 1997.

ADOPTED THIS 27th day of October, 1997.

"Lela Irvine"
Mayor

" Wm. F. Hutchinson"
Clerk

SCHEDULE "A"

BL#1773

SCHEDULE "B"

BL#1764

SCHEDULE "C"
to Bylaw No. 1406

Notice of Impoundment
 Notice of Destruction

TO:

(name of owner)

(address of owner)

You are hereby notified that an animal bearing Licence No. _____ for 20____, registered under the above name and address, was impounded on _____, 20____, pursuant to the provisions of the Town of Creston Animal Control Bylaw; AND THAT, unless the said animal is claimed and all impoundment charges are paid on or before _____, 20____, the animal will be sold, destroyed or otherwise disposed of.

For Animal Control Officer

PLEASE NOTE

- (a) Impoundment fees and voluntary fines must be paid in cash (in lawful currency of Canada) or by certified cheque.
- (b) Payment shall be made at the Town Hall, 238 - 10th Ave. North, Creston, B.C. (Phone 428-2214).
- (c) If the Town Hall is closed, but the Pound is open, you may identify your dog to the pound keeper. Although you may not claim your dog, the Town will waive the boarding costs for the Saturday or Statutory Holiday.

 Canada Post

Delivered by Hand

Date: _____ Time: _____

SCHEDULE "D"
to Bylaw No. 1406



here are the facts

HOUSING & FENCING

By Donna Lamb & Cathy Wolfe

HOUSING

In a climate as cold as Canada's adequate housing is a necessity for all livestock including the ostrich. An insulated building protects birds from the wind and retains their body heat. In extreme temperatures a livestock or construction heater can provide extra comfort. However, it is not wise to keep the building too warm. If the birds are being let outside during the day, they could get a chill which could lead to medical problems. In milder weather the door can be left open, allowing free access to the pens.

Since full-grown ostriches can reach a height of nine feet, the ceiling should be a minimum of ten feet high. They may be reluctant to use a building if the ceiling is too low whereas an adequate height encourages free movement in and out, making management easier. The amount of floor space required by each bird varies according to the length of time spent inside. Overly crowded facilities can cause stress-related problems such as feather-picking and aggression.

One must keep in mind, when preparing housing, that certain safety features should be considered. These birds have long necks and small heads which can get caught in surprisingly small spaces. Poorly designed housing and fencing is a major cause of injuries. This should be taken into consideration in the planning stages. It is easier to avoid a problem than it is to correct it.

FENCING

Fencing, like housing, must be designed with safety in mind. There should be no small gaps that a head or foot could become caught in. Gates should be set close to the posts and mesh fencing must be small enough to prevent heads and feet

from getting through. It is of utmost importance that the ground both inside and out be free of debris such as nails, glass and any other sharp objects that the birds could ingest. This is a chore that must be done periodically as articles will continually work to the surface and can kill a bird if eaten.

Adult birds can weigh up to 450 lbs and can run up to 40 mph. Therefore, the fence must be able to withstand high impact on those few occasions when a bird does run into it. It should also be at least six feet tall but does not have to touch the ground. The fence can be 12-18" off the ground to provide an escape route when dealing with an angry breeding male. It is the roosters' job to protect the nest, therefore he may become aggressive during breeding season and must be taken seriously. If predators are a threat to the birds, the fence can be put right down to the ground and other measures taken to assure safety when dealing with males. Rounded corners are advisable in order to prevent the possibility of an eager rooster trapping a reluctant hen and injuring one or both. They also make it easier to move the birds along without having them get caught up in a square corner.

Many different types of fencing are available and some have proven to be better than others. It is up to the individual to choose the best materials for his/her situation. Some possibilities include chain link, horse fence, smooth wire and game fence. Barbed wire should be avoided since the barbs might injure the birds. Board fence is not strong enough and although drill stem is, it has no give upon impact and could break a leg or neck should a bird run into it. Wind fence to the north and west will make winter a more pleasant experience for your birds and, therefore should be considered.

Common sense is the most important factor to be applied when choosing housing and fencing for ostriches. Carefully consider each aspect before building or renovating in order to avoid problems.

SCHEDULE "E"

PERMIT FOR NON-CONFORMING STATUS OF
ANIMALS, BIRDS, BEES, RODENTS OR REPTILES

Permit Number:	Date of Issue:
Name:	Mailing Address:
Civic Address of Non-Conforming Status:	
(Please check appropriate box, indicate type and how many)	
<input type="checkbox"/> Animal Type _____ How many _____	
<input type="checkbox"/> Bird Type _____ How many _____	
<input type="checkbox"/> Bees Type _____ How many _____	
<input type="checkbox"/> Rodent Type _____ How many _____	
<input type="checkbox"/> Reptile Type _____ How many _____	
Non-conforming to Section(s) _____ of Bylaw	
Expire Date if applicable:	
Other:	

Signed this _____ day of _____, 20_____.

Applicant

Clerk

SCHEDULE "F"

PERMIT FOR CONFORMING STATUS OF
ANIMALS, BIRDS, BEES, RODENTS OR REPTILES

Permit Number:	Date of Issue:
Name:	Mailing Address:
Civic Address:	
Legal Address:	
(Please check appropriate box, indicate type and how many)	
<input type="checkbox"/> Animal Type _____ How many _____	
<input type="checkbox"/> Bird Type _____ How many _____	
<input type="checkbox"/> Bees Type _____ How many _____	
<input type="checkbox"/> Rodent Type _____ How many _____	
<input type="checkbox"/> Reptile Type _____ How many _____	
Expire Date if applicable:	
Other:	

Signed this _____ day of _____, 20____.

Applicant

Clerk

INDEX OF AMENDING BYLAWS

Bylaw 1425.....Adopted January 13, 1998
Bylaw 1656.....Adopted February 27, 2007
Bylaw 1705.....Adopted May 12, 2009
Bylaw 1710.....Adopted June 9, 2009
Bylaw 1764.....Adopted December 13, 2011
Bylaw 1773.....Adopted December 13, 2011

NOTE TO USERS

"WHEREAS each bylaw consolidation shall be proof, in the absence of evidence to the contrary, of the original bylaw, of all bylaws amending it and of the fact of passage of the original and all amending bylaws", pursuant to 'Authority to Consolidate Municipal Bylaws No. 1533', which was adopted on the 11th day of June, 2001.