



ANIMAL RESPONSIBILITY BYLAW

BYLAW NO. 11-044

This consolidation is a copy of a bylaw consolidated under the authority of section 139 of the *Community Charter*. (Consolidated on August 13, 2018 up to Bylaw No. 18-077)

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NO. 11-044

ANIMAL RESPONSIBILITY BYLAW

A BYLAW OF THE CITY OF VICTORIA

(Consolidated to include Bylaws No. 12-020, 12-021, 14-054, 18-050 and 18-077)

The purpose of this Bylaw is to consolidate, update, and introduce new regulations relating to animals.

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Under its statutory powers, including sections 8(3)(k), 47 and 48 of the *Community Charter*, the Council of the City of Victoria enacts the following provisions:

PART 1 - INTRODUCTION

Title

- 1 This Bylaw may be cited as the "ANIMAL RESPONSIBILITY BYLAW".

Definitions

- 2 In this Bylaw

"animal"

means any member of the animal kingdom, other than a human being;

"animal control officer"

means a person designated as an animal control officer for the purposes of section 49 of the *Community Charter*;

"cat"

means an animal of the species *Felis domesticus* that is apparently over the age of twelve weeks old;

"chicken"

means an animal of the species *Gallus gallus domesticus*;

"dangerous dog"

means a dog that has been designated as a dangerous dog under section 28;

"dog"

means an animal of the species *Canis familiaris* that is apparently over the age of twelve weeks old;

"farm animal"

means any domesticated animal normally raised for food, milk or as a beast of burden and includes cattle, horses, swine, sheep, goats, mules, donkeys, asses and oxen but does not include poultry or bees;

"guinea pig"

means an animal of the species *Cavia porcellus* that is apparently over the age of twelve weeks old;

“keep”

means to lodge, possess, have care and control of, harbour, board, or feed on a regular basis;

“lot”

has the same meaning as in the *Zoning Regulation Bylaw*;

“motor vehicle”

means a self-propelled vehicle other than a motorized wheelchair;

"owner"

in respect of any animal includes

- (a) a person possessing or harbouring the animal, and
- (b) a person who has care, custody or control of the animal,

and "owns" has a corresponding meaning;

“poultry”

means any domesticated bird that is normally kept for its eggs, meat, or feathers, and includes chickens;

"poundkeeper"

means

- (a) the City employee appointed pursuant to section 4(a), or
- (b) the person under contract with the City to act as a poundkeeper pursuant to section 4(b),

and includes the poundkeeper’s assistants and, in the case of a contractor, employees.

“rabbit”

means an *Eastern cottontail* or *European rabbit* that is apparently more than twelve weeks old;

“self-contained dwelling unit”

has the same meaning as in the *Zoning Regulation Bylaw*.

Application

- 3
 - (1) Sections 18 to 20 do not apply to an animal control officer acting in the course of the officer's employment.
 - (2) Sections 19(4), 32(3)(b) and 35(1) do not apply to a person with a disability with respect to a guide animal certified under the *Guide Animal Act*.
 - (3) Sections 19(1), 19(4) and 32(3)(b) do not apply to a police officer with respect to a police dog.
 - (4) Section 19 does not apply to a person with respect to a dog participating in a show, exhibition or performance that is being conducted in accordance with a permit issued by the Director of Parks, Recreation and Culture.
 - (5) Section 19 does not apply to a dangerous dog.
 - (6) Section 20 does not apply to peafowl in Beacon Hill Park.
- 3A
 - (1) If, in the opinion of Council, application of any provision in Parts 4 or 7 of this Bylaw would result in undue hardship, Council may, by resolution, exempt a person or property from the application of that provision.
 - (2) Council may impose terms and conditions as part of an exemption under subsection (1), including a time limit on the application of the exemption.

PART 2 – ADMINISTRATIVE DUTIES OF THE POUNDKEEPER

Appointing a poundkeeper

- 4 Council may
 - (a) appoint, by resolution, an employee of the City to be a poundkeeper or poundkeeper's assistant, or
 - (b) enter into an agreement with a qualified contractor to act as the poundkeeper and to manage a dog licensing program for the City.

Keeping records

- 5 The poundkeeper must keep the following records for each impounded animal:
 - (a) the date the animal was impounded;
 - (b) a description of the animal;
 - (c) if applicable, the place where the animal was seized;
 - (d) if applicable, the name and address of the person who brought the animal to be impounded;

- (e) if applicable, the name and address of the person who redeems the animal and, if the person who redeems the animal is not the owner, the name and address of the owner of the animal;
- (f) the date when the animal was redeemed or otherwise disposed of;
- (g) a description of the method of and reason for the disposition;
- (h) the amount of money, if any, recovered in respect of the animal.

Monthly reporting

- 6 At the end of every month the poundkeeper must submit a report to the City, containing:
- (a) the information referred to in section 5;
 - (b) a complete record of any dog bites which occurred in that month, including:
 - (i) information concerning the severity of the bite;
 - (ii) the breed of the dog;
 - (iii) the name and address of the owner of the dog, if known;
 - (iv) the name of the person bitten; and
 - (v) the details of any charges under the Bylaw.

Money received

- 7
- (1) All money received by the poundkeeper pursuant to this Bylaw is the property of the City.
 - (2) The poundkeeper, if not employed by the City, must once every month pay over to the City all money received.
 - (3) On demand at any time during business hours, the poundkeeper must produce books of accounts and records for inspection by the Director of Finance or the Manager of Bylaw and Licensing Services.

PART 3 – ANIMAL WELFARE

Animal abandonment

- 8 The owner of an animal must not abandon the animal.

Basic animal care requirements

- 9 The owner of an animal must ensure that the animal is provided with:

- (a) clean, potable drinking water;
- (b) suitable food of sufficient quantity and quality to allow for normal growth and the maintenance of normal body weight;
- (c) clean and disinfected food and water receptacles that are located so as to avoid contamination by excrement;
- (d) the opportunity for regular exercise sufficient to maintain good health; and
- (e) necessary veterinary care when the animal exhibits signs of pain, injury, illness or suffering.

Outdoor shelter requirements

- 10(1) An owner of an animal must ensure that the animal has protection from all elements and must not allow the animal to suffer from hyperthermia, hypothermia, dehydration, discomfort, or exertion causing unnecessary pain, suffering or injury.
- 10(2) A person must not keep an animal outside, unless the animal is provided with a shelter that provides
- (a) protection from heat, cold and wet that is appropriate to the animal's weight and type of coat,
 - (b) sufficient space to allow the animal the ability to turn about freely and to easily stand, sit and lie in a normal position, and
 - (c) protection from the direct rays of the sun.

Sanitation requirements

- 11 A person must not keep an animal in a shelter, pen, cage or run unless the shelter, pen, cage or run is clean, sanitary and free from wild vermin.

Tying animals

- 12 No owner shall cause, permit, or allow a dog:
- (a) to be hitched, tied, or fastened to a fixed object in such a way that the dog is able to leave the boundaries of the owner's property;
 - (b) to be hitched, tied, or fastened to a fixed object where a choke collar forms part of the securing apparatus, or where a rope or cord is tied directly around the dog's neck;
 - (c) to be tethered other than with a collar that is properly fitted to that dog and attached in a manner that will not injure the dog or enable the dog to injure itself by pulling on the tether;

- (d) to be hitched, tied, or fastened to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement of the dog;
- (e) to be hitched, tied, or fastened to a fixed object unattended at any time; or
- (f) to be hitched, tied, or fastened to a fixed object for longer than four hours within a 24 hour period.

Animals in an enclosed space

- 13 (1) A person must not confine an animal in an enclosed space, vehicle or vessel unless the person provides sufficient ventilation and water to prevent the animal from distress.
- (2) If a person confines an animal in an enclosed space, vehicle or vessel that is stationary, the person must ensure that the space, vehicle or vessel is in an area providing sufficient shade to protect the animal from the direct rays of the sun at all times.

Transport of animals in motor vehicles

- 14 A person must not transport an animal in a motor vehicle outside the passenger compartment or in an uncovered passenger compartment unless the animal is adequately confined or secured in a body harness or other manner of fastening that is adequate to prevent the animal from jumping or falling off the vehicle or otherwise injuring itself.

Exercising dogs from a motor vehicle or bicycle

- 15 (1) A person must not exercise a dog by allowing it to run next to a moving motor vehicle.
- (2) A person must not exercise a dog by allowing it to run next to a bicycle unless the dog is attached to the bicycle by an apparatus that allows the person to retain two-handed control of the bicycle at all times.
- (3) Subsection (2) does not apply to a person exercising a dog in an off leash area if:
- (a) the dog is not being held; and
 - (b) bicycle riding is allowed in the area.

Animal performances

- 16 (1) A person must not operate or carry on a public show, exhibition, carnival or performance in which animals are required to perform tricks, fight or otherwise participate for the amusement or entertainment of an audience.

- (2) Despite subsection (1), a person may operate or carry on:
- (a) an exhibition or performance involving horses or in which individuals ride horses or ponies;
 - (b) an exhibition involving dogs;
 - (c) a display or showing of animals in an agricultural fair or pet show; or
 - (d) an event that is conducted in accordance with a permit issued by the Director of Parks, Recreation and Culture;

if the person does not use or treat any animal in an inhumane manner for profit or advantage.

Traps

- 17 A person must not use, set or maintain a trap or device that is designed to capture an animal by the foot or leg.

Animal Cruelty

- 17A Notwithstanding any other provision of this Bylaw, no person shall:

- (a) tease, torment, or provoke any animal;
- (b) cause, permit or allow an animal to suffer;
- (c) train or allow any animal to fight other animals; or
- (d) choke, kick or punch an animal.

PART 4 – ANIMAL CONTROL

Animals on private property

- 18 (1) The owner of an animal must not allow the animal to be on any private lands or premises without the consent of the occupier or owner of the lands or premises.
- (2) Subsection (1) does not apply to a person who keeps bees.
- (3) A person may keep chickens only on the same lot where he or she resides.

Dogs in public places

- 19 (1) The owner of a dog must not allow the dog to be in a public place unless the dog is firmly held on

- (a) a leash not exceeding 2.4 m in length, or
 - (b) a retractable lead not exceeding 8 m in length when fully extended,
- by a person competent to restrain the dog.
- (2) Despite subsection (1), the owner of a dog may allow the dog to be in an off leash area of a park shown on a map included in Schedule A without being firmly held if
- (a) the dog is in the area during the times listed in Column 2 of the table in Schedule A opposite the name of the park in Column 1,
 - (b) the dog is under the effective control of a competent person,
 - (c) the off leash area is not being used under a permit issued by the Director of Parks, Recreation and Culture, and
 - (d) the off leash area has not been closed by the Director of Parks, Recreation and Culture.
- (3) For the purposes of paragraph (2)(b), a dog is under the effective control of a person if
- (a) the person can see the dog, and
 - (b) when the person calls the dog, the dog returns to the person within three calls.
- (4) Despite subsection (1), the owner of a dog must not allow the dog to be in any of the following public places during the times specified:
- (a) all times in that part of Beacon Hill Park shown as a dogs-prohibited area on the map in Schedule B;
 - (b) all times in Pioneer Square;
 - (c) all times in Ross Bay Cemetery;
 - (d) from June 1 to August 31 on Gonzales Beach;
 - (e) all times in playground areas that
 - (i) surround slides, swings, structures for climbing and other similar equipment for children's use, and
 - (ii) are covered with sand, wooden chips or rubberized surfacing;
 - (f) all times on the all-weather sports field, known as Finlayson Field, in Topaz Park.

Other animals in public places

- 20 (1) The owner of a snake or other reptile must not allow the snake or other reptile to be in a public place unless the animal is securely confined in a cage or other container.
- (2) The owner of an animal other than a dog or reptile must not allow the animal to be in any public place unless the animal is under the direct control of a competent person.
- (3) An owner of a cat or rabbit must not cause the animal to be in an off leash area of a park shown on a map included in Schedule A.

Requirements for keeping bees

- 21 (1) A person who keeps bees must
- (a) provide adequate water for the bees on the person's property,
 - (b) maintain the bees in a condition that will reasonably prevent swarming, and
 - (c) keep hives at least 7.6 m away from each property line, unless there is a solid fence or hedge at least 1.8 m tall parallel to the property line.
- (2) The Fence Bylaw applies to a fence erected in accordance with paragraph (1)(c).

Secure enclosure of outdoor rabbits

- 22 A person must not keep rabbits in an outdoor pen, cage or run, unless the pen, cage or run is securely enclosed to prevent escape.

Animals damaging public property

- 23 The owner of an animal must not allow the animal to damage or destroy any building, structure, tree, shrub, plant, or turf in a public place.

Animals chasing or harassing

- 24 The owner of an animal must not allow the animal to chase, harass, molest, attack, injure or kill a person or animal.

Limits on the number of animals

- 25 (1) No person may keep, or allow to be kept, at any one time, on a lot more than six dogs or cats, or any combination of dogs or cats greater than six.
- (2) No person may keep, or allow to be kept, at any one time, on a lot more than four rabbits or guinea pigs or any combination of rabbits and guinea pigs greater than four.

- (3) No person may keep, or allow to be kept, at any one time, on a lot more than fifteen female chickens or other poultry, or any combination of chickens or other poultry greater than fifteen.
- (4) Subsections (1) and (2) do not apply to animals kept:
 - (a) during business hours on premises where a registered veterinarian practices veterinarian medicine;
 - (b) by an animal groomer, or an animal daycare where those uses are permitted in accordance with the Zoning Regulation Bylaw; or
 - (c) at an animal shelter or in a veterinary hospital where those uses are permitted in accordance with the Zoning Regulation Bylaw.
- (5) For the purposes of subsections (1) and (2) each self-contained dwelling unit on a lot shall be considered a separate lot such that the limits provided for in those subsections apply to such self-contained dwelling unit provided that no animals are kept on the shared or common property or outside buildings located on the property.

Dogs in heat

- 26 (1) Except as permitted by subsection (2), the owner of a female dog in heat must confine her within a building or kennel until she is no longer in heat.
- (2) The owner of a female dog in heat may allow the dog to leave the building or kennel in order to urinate or defecate on the person's private lands if the person
 - (a) firmly holds the dog on a leash, and
 - (b) immediately returns the dog to the building or kennel upon completion of the urination or defecation.

Farm animals

- 27 (1) A person must not keep a
 - (a) farm animal,
 - (b) rooster, or
 - (c) peafowl.
- (2) The prohibition in subsection (1) does not apply to:
 - (a) a person who is licensed to operate a business using a horse drawn sightseeing vehicle pursuant to the Vehicles for Hire Bylaw with respect to horses used in the business;

- (b) the Beacon Hill Farm Society with respect to farm animals and peafowl kept at the Beacon Hill Children's Farm; and
- (c) a person who brings a farm animal into the City for an event conducted in accordance with a permit issued by the Director of Parks, Recreation and Culture.

PART 5 – DANGEROUS DOGS

Designating dangerous dogs

- 28 (1) An animal control officer may designate a dog as a dangerous dog if the dog
- (a) bites a human or animal without provocation,
 - (b) has a known propensity, tendency or disposition to attack a human or animal without provocation, or
 - (c) has previously been designated as a dangerous dog and endangers the safety of a human or animal.
- (2) A designation under subsection (1) may be for any time period that an animal control officer considers appropriate, considering
- (a) the circumstances of the incident,
 - (b) the severity of the incident, and
 - (c) any previous incidents.
- (3) After designating a dog as a dangerous dog, an animal control officer must inform the owner of the dog in writing of
- (a) the designation and its length, and
 - (b) the responsibilities of the owner of a dangerous dog.

Control of dangerous dogs

- 29 (1) Except as allowed under subsection (2) and subject to subsection (3), the owner of a dangerous dog must not allow the dangerous dog to be in a public place or on any private lands and premises unless the dog is
- (a) firmly held by a person competent to restrain the dog on a leash not exceeding 2.4 m in length, and
 - (b) properly fitted with a humane basket muzzle that allows the dog to pant and drink.

- (2) A person may allow a dangerous dog to be in areas of private lands or premises that are exclusively owned or occupied by that person so long as the dog is securely confined
- (a) indoors,
 - (b) on a deck that is no less than 3 m above ground level, or
 - (c) in a rear yard and inside a pen, enclosure or fenced area that
 - (i) is adequately constructed to prevent the dog from escaping,
 - (ii) is locked to prevent casual entry by another person, and
 - (iii) has been inspected and approved by an animal control officer.
- (3) A person must not allow a dangerous dog to be
- (a) on school grounds,
 - (b) within 30 m of any playground apparatus, or
 - (c) in any of the public places listed in section 19(4) during the times specified in that section.

Signage

- 30 (1) The owner of a dangerous dog must display a sign in the form prescribed in Schedule C at each entrance to
- (a) the property and building in or upon which the dog is kept, and
 - (b) any deck, pen, enclosure or fenced area used to securely confine the dog.
- (2) A sign displayed in accordance with subsection (1) must be
- (a) attached so that it cannot be removed easily by passersby, and
 - (b) visible and capable of being read from any adjacent sidewalk, street or lane.
- (3) A person must not deface or remove a sign that is required to be displayed under subsection (1).

Duties of a dangerous dog owner

- 31 The owner of a dangerous dog must
- (a) allow an animal control officer or the poundkeeper to photograph the dog, on demand,

- (b) within two working days of moving to a new residence, provide an animal control officer or the poundkeeper with the owner's new address,
- (c) within two working days of selling or giving away the dog, provide an animal control officer or the poundkeeper with the name, address and telephone number of the new owner,
- (d) within two working days of the death of the dog, provide an animal control officer or the poundkeeper with a veterinarian's certificate of the death, and
- (e) immediately advise an animal control officer or the poundkeeper if the dog is loose or has bitten or attacked any person or animal.

PART 6 – DOG LICENCES

Obtaining dog licences

- 32 (1) The owner of a dog over the age of 4 months must hold a valid licence issued by the City for the dog.
- (2) Every licence expires on December 31 of the calendar year for which the licence is issued.
- (3) A person may obtain a licence for a dog by
- (a) applying to the City for a licence, and
 - (b) paying the fee prescribed in Schedule D.
- (4) Despite paragraph (3)(b), a person may obtain a licence for a dog without paying the prescribed fee if
- (a) the dog has been sterilized within the 12 months prior to the application for a licence, the person provides proof of sterilization, and a free licence has not previously been issued for that dog under this subsection, or
 - (b) the person holds a valid licence for the dog issued in another jurisdiction and surrenders the licence tag from the other jurisdiction.
- (5) A person who obtains a licence on or after March 1 must pay the late purchase fee prescribed in Schedule D in addition to the licence fee.
- (6) The late purchase fee provided for in subsection (5) does not apply to a person who obtains a licence for a dog that was purchased or acquired in the calendar year for which the licence is issued.
- (7) An owner may obtain a replacement licence tag if a valid licence tag is lost or destroyed by paying the fee prescribed in Schedule D.

Collars and licence tags

- 33 (1) A licence consists of a written receipt and a licence tag designed to be attached to a dog collar.
- (2) The owner of a dog over the age of 4 months must not allow the dog to be anywhere except on premises normally occupied by the owner unless the dog wears a collar with a valid licence tag attached to the collar.
- (3) If a dog does not wear a collar to which the licence tag is attached in a conspicuous place, it shall be presumed not to be licensed until the contrary is proven.
- (4) A person must not remove a collar or licence tag from a dog, unless that person is
- (a) the owner,
 - (b) a person authorized by the owner,
 - (c) the poundkeeper, or
 - (d) an animal control officer.

PART 7 – ANIMAL NUISANCES

Noisy dogs

- 34 In addition to the requirements of the Noise Bylaw the owner of a dog must not allow the dog to bark, howl or cry
- (a) continuously for ten minutes or more without significant periods of rest,
 - (b) sporadically for a cumulative total of 15 or more minutes within 1 hour, or
 - (c) otherwise in such a manner as to cause a nuisance.

Animal waste

- 35 (1) The owner of a dog must not allow the dog to defecate
- (a) in a public place, or
 - (b) on any private property other than the property of the owner
- unless the owner immediately removes the excrement and lawfully disposes of it.
- (2) A person who grooms an animal in a public place must remove and lawfully dispose of any hair or other debris that result from the grooming process.

- (3) A person must not store, deposit, spread, or compost, or allow to be stored, deposited, spread, or composted, poultry manure on a lot except in accordance with subsection (4).
- (4) A person may store or compost poultry manure on a lot on which poultry is kept only if it is
 - (a) stored in a single fully enclosed container that is not more than one metre by one metre by one metre in size; and
 - (b) located at least three metres from the nearest property line.

Feeding wildlife

- 36 (1) A person must not intentionally feed or leave food out for the purposes of feeding
- (a) deer,
 - (b) raccoons,
 - (c) squirrels, or
 - (d) feral rabbits.
- (2) A person must not intentionally feed or leave food out for the purposes of feeding
- (a) rock doves (pigeons),
 - (b) crows, or
 - (c) gulls
- within the area outlined in black on the map in Schedule E.
- (3) Subsections (1) and (2) do not apply to a person who is engaging in hunting or trapping wildlife in accordance with the *Wildlife Act* and its regulations.
 - (4) A person must not keep, or allow to be kept, any animal feed outside a building unless it is stored in a fully enclosed container that is capable of keeping out rats, raccoons, and other wildlife.

PART 8 – PET STORES

Sale of rabbits

- 37 A pet store operator must not sell or give away a rabbit unless the rabbit has been spayed or neutered.

Pet store register

38 A pet store operator must

- (a) keep and maintain a pet store register in the pet store containing a record of each transaction in which the operator acquires or disposes of a rabbit, cat or dog, including the following information:
 - (i) the name and address of the person from whom the operator acquired the animal;
 - (ii) the date of the acquisition;
 - (iii) the animal's date of birth;
 - (iv) a description of the sex and colouring of the animal, and of any tattoo, microchip number, or other identifying marking;
 - (v) the date the operator disposed of the animal;
 - (vi) if the disposition is other than by sale, the method of and reason for the disposition;
- (b) produce the pet store register for inspection by an animal control officer or bylaw officer,
- (c) provide copies of any entries required by an animal control officer or bylaw officer, and
- (d) retain each transaction recorded in the pet store register for at least 12 months from the date of the transaction.

Pet store record of sale

39 At the time of the sale of an animal, a pet store operator must

- (a) provide the purchaser with a written record of sale including the following information:
 - (i) the date of sale;
 - (ii) the name and address of the pet store;
 - (iii) a description of the animal;
 - (iv) a description of any tattoo, microchip number, or other identifying marking;
 - (v) the breed or cross breed, if applicable; and
- (b) if the animal is a dog or cat, provide the purchaser with

- (i) a health certificate from a registered veterinarian, and
- (ii) a record of medical treatment, vaccinations and de-worming.

PART 9 – SEIZING AND IMPOUNDING ANIMALS

Authority to seize and impound

- 40 (1) An animal control officer may seize
- (a) a dog if the owner does not hold a valid licence for the dog as required by section 32(1),
 - (b) an animal that is in a public place in contravention of sections 19, 20 or 29,
 - (c) an animal that is on any private lands or premises without the consent of the occupier or owner of the lands or premises, or
 - (d) an animal that is on unfenced land and not securely tethered or contained.
- (2) The poundkeeper shall impound any animal seized under subsection (1) and delivered to the pound by an animal control officer and may impound any animal brought to the pound by any other person.

Releasing an animal before its arrival at the pound

- 41 (1) If the owner or the agent of the owner appears and claims an animal that has been seized at any time before the animal has been taken to the pound, an animal control officer must release the animal to the owner or agent if the person
- (a) proves ownership of the animal to the satisfaction of the animal control officer or, in the case of an agent, satisfies the animal control officer of the agent's authority to redeem the animal,
 - (b) pays any applicable licence fees, and
 - (c) pays to the animal control officer half of the applicable impoundment fee set out in Schedule D.
- (2) Subsection (1) does not apply if the animal that has been seized is a dangerous dog.

Informing the owner of impoundment

- 42 If the poundkeeper knows the name and address of the owner of an animal which has been impounded, the poundkeeper will inform the owner verbally or by mail within 24 hours of the impoundment.

Redeeming an animal from the pound

- 43 (1) The owner of an impounded animal or the owner's agent may redeem the animal from the pound by
- (a) proving ownership of the animal to the satisfaction of the poundkeeper or, in the case of an agent, satisfying the poundkeeper of the agent's authority to redeem the animal, and
 - (b) paying to the poundkeeper
 - (i) any applicable licence fees,
 - (ii) the applicable impoundment fees prescribed in Schedule D,
 - (iii) the applicable maintenance fees prescribed in Schedule D for each day or part of a day that the animal was impounded,
 - (iv) the costs of any special equipment, resources or boarding facilities required to seize, impound or maintain the animal, and
 - (v) any veterinary costs incurred in respect of the animal during the impoundment period.
- (2) Despite subsection (1), the poundkeeper may detain a dangerous dog for a period of up to 14 days before allowing the owner or the owner's agent to redeem the animal.

No liability for injury to animal

- 44 No provision of this Bylaw shall be construed as making the poundkeeper, an animal control officer or the City liable to the owner of any animal for injury to, sickness or death of the animal.

Disposition of unredeemed animals

- 45 (1) An animal becomes the property of the City if it is not redeemed within 96 hours after
- (a) its impoundment, or
 - (b) the expiration of an impoundment period set under section 43(2).
- (2) If an animal becomes the property of the City under subsection (1), the poundkeeper may
- (a) sell it on behalf of the City,
 - (b) give it away, or
 - (c) put it to death in a humane manner.

Euthanization of impounded animals

- 46 The poundkeeper may have an impounded animal humanely euthanized at any time if
- (a) a registered veterinarian certifies that the animal is suffering from an infectious or contagious disease, or
 - (b) the poundkeeper is satisfied that the animal has been so seriously injured that its death is imminent.

Prohibition against breaking into pound

- 47 A person must not
- (a) break open or in any manner directly or indirectly aid or assist in breaking open the pound,
 - (b) enter the pound without the permission of the poundkeeper, or
 - (c) take or release any animal from the pound without the consent of the poundkeeper.

Prohibition against hindering the poundkeeper or officers

- 48 (1) A person must not hinder, delay or obstruct
- (a) the poundkeeper,
 - (b) an animal control officer, or
 - (c) a bylaw officer
- in the performance of their duties under this Bylaw.
- (2) Without limiting the generality of subsection (1), a person must not
- (a) release an animal from a trap set by an animal control officer, or
 - (b) tamper with, damage, move or remove a trap set by an animal control officer.

PART 10 – PENALTIES AND ENFORCEMENT

Provision of information

- 49 (1) If a person occupies premises where a dog is kept or found, the person must provide the following information when requested by an animal control officer, bylaw officer or police officer:
- (a) the person's name, address and telephone number;

- (b) if the person is not the dog owner, the dog owner's name, address and telephone number;
 - (c) the number of dogs kept on the premises;
 - (d) the breed, sex, age, name and general description of each dog kept on the premises;
 - (e) whether each dog kept on the premises is licensed.
- (2) If a person has apparent custody of a dog, the person must provide the following information when requested by an animal control officer, bylaw officer or police officer:
- (a) the person's name, address and telephone number;
 - (b) if the person is not the dog owner, the dog owner's name, address and telephone number;
 - (c) the place where the dogs owned or in the custody of the person are kept;
 - (d) the breed, sex, age, name and general description of each dog owned or in the custody of the person;
 - (e) whether each dog owned or in the custody of the person is licensed.

Entering property for inspection

49.1 In accordance with section 16 of the *Community Charter* but without limiting section 49 of the *Community Charter* an animal control officer at reasonable times may enter onto and into real property to inspect and determine whether the requirements and prohibitions of this Bylaw are being complied with.

Offences

- 50 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw, and the *Offence Act* if that person
- (a) contravenes a provision of this Bylaw,
 - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw, or
 - (c) neglects or refrains from doing anything required by a provision of this Bylaw.
- (2) Each day that a contravention of a provision of this Bylaw continues is a separate offence.

PART 11 – GENERAL PROVISIONS

Severability

51 Each section of this Bylaw shall be severable. If any provision of this Bylaw is held to be illegal or invalid by a Court of competent jurisdiction, the provision may be severed and the illegality or invalidity shall not affect the validity of the remainder of this Bylaw.

Repeal

52 The following bylaws are repealed:

- (a) Bylaw No. 92-189, the “Animal Control Bylaw”, and
- (b) Bylaw No. 79-89, the “Animal Protection Bylaw.”

Coming into force

- 53 (1) Except for Part 8, this Bylaw comes into force on the date of adoption.
- (2) Part 8 comes into force on January 1, 2012.

| | | | | |
|------------------------|------------------------|--------|----------------|------|
| READ A FIRST TIME the | 21st | day of | July | 2011 |
| AMENDED the | 25th | day of | August | 2011 |
| READ A SECOND TIME the | 25th | day of | August | 2011 |
| AMENDED the | 13th | day of | October | 2011 |
| READ A THIRD TIME the | 13th | day of | October | 2011 |
| ADOPTED on the | 27th | day of | October | 2011 |

“ROBERT G. WOODLAND”
CORPORATE ADMINISTRATOR

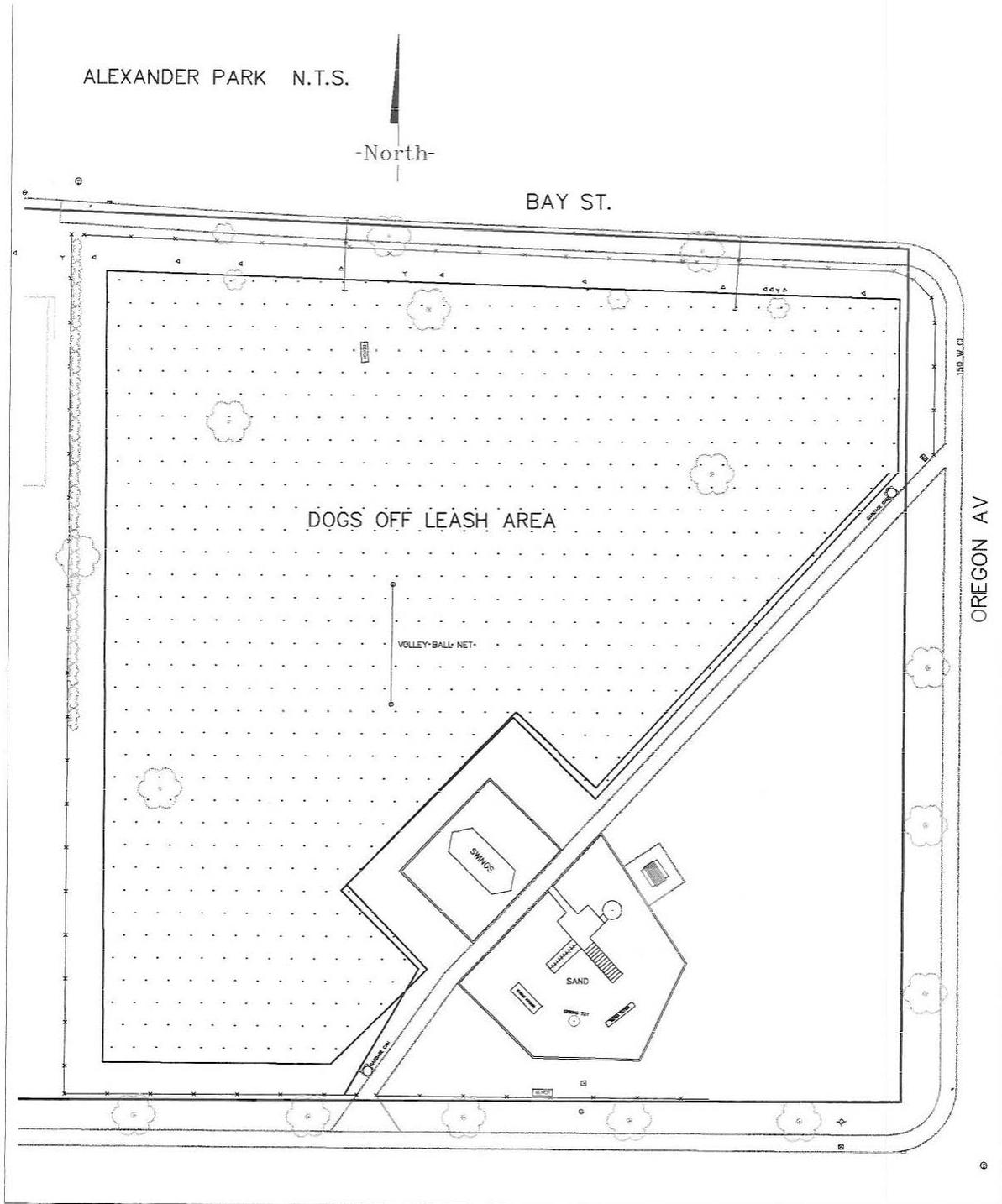
“DEAN FORTIN”
MAYOR

Schedule A

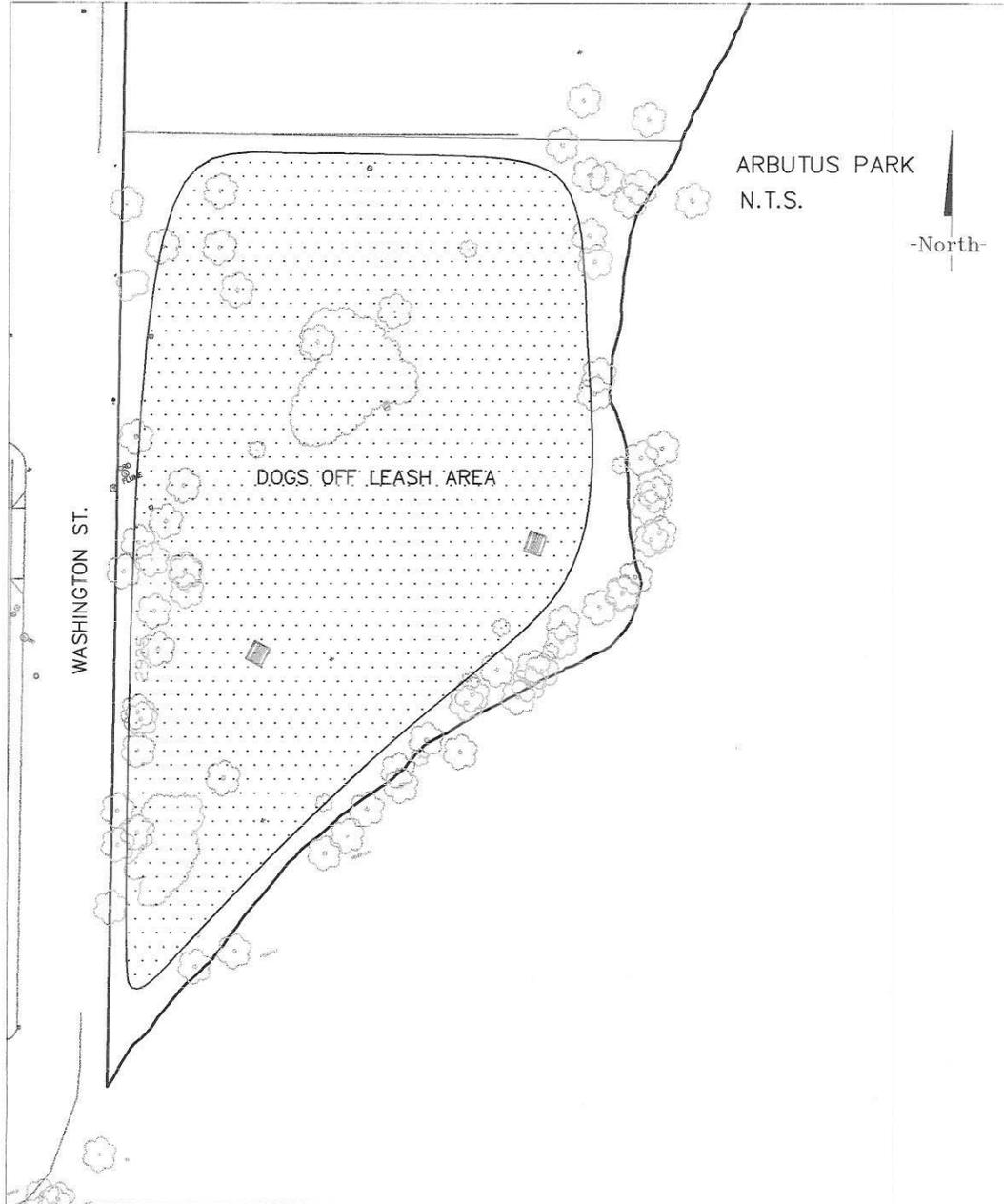
Dog Off Leash Areas and Times (Section 19(2))

| Column 1 Park | Column 2 Times |
|---|--|
| Alexander Park | all days 6:00 a.m. - 10:00 a.m. & 4:00 p.m. - 10:00 p.m. |
| Arbutus Park | all days 6:00 a.m. - 10:00 p.m. |
| Banfield Park | all days 6:00 a.m. – 9:00 a.m. & 5:00 p.m. - 10:00 p.m. April 1 to Sept. 30 all days 6:00 a.m. - 10:00 p.m. Oct. 1 to March 31 |
| Beacon Hill Park south of Dallas Road, from Douglas Street to Clover Point Park | all times |
| Clover Point Park | all times |
| Gonzales Beach | all times Sept 1 to May 31 |
| Oswald Park | all days 6:00 a.m. - 10:00 p.m. |
| Pemberton Park | all days 6:00 a.m. - 10:00 p.m. |
| Redfern Park | all days 6:00 a.m. - 10:00 a.m. & 4:00 p.m. - 10:00 p.m. |
| Songhees Hilltop Park | all days 6:00 a.m. - 10:00 p.m. |
| Topaz Park – Off leash area | Monday to Friday 6:00 a.m. - 10:00 a.m. & 4:00 p.m. - 10:00 p.m. Saturday & Sunday 6:00 a.m. – 8:00 a.m. & 5:00 p.m. - 10:00 p.m. |
| Topaz Park – Alternate off leash area | all days 6:00 a.m.-10:00 p.m. |
| Vic West Park | all days 6:00 a.m.-10:00 p.m. |

Map of Off Leash Area Alexander Park



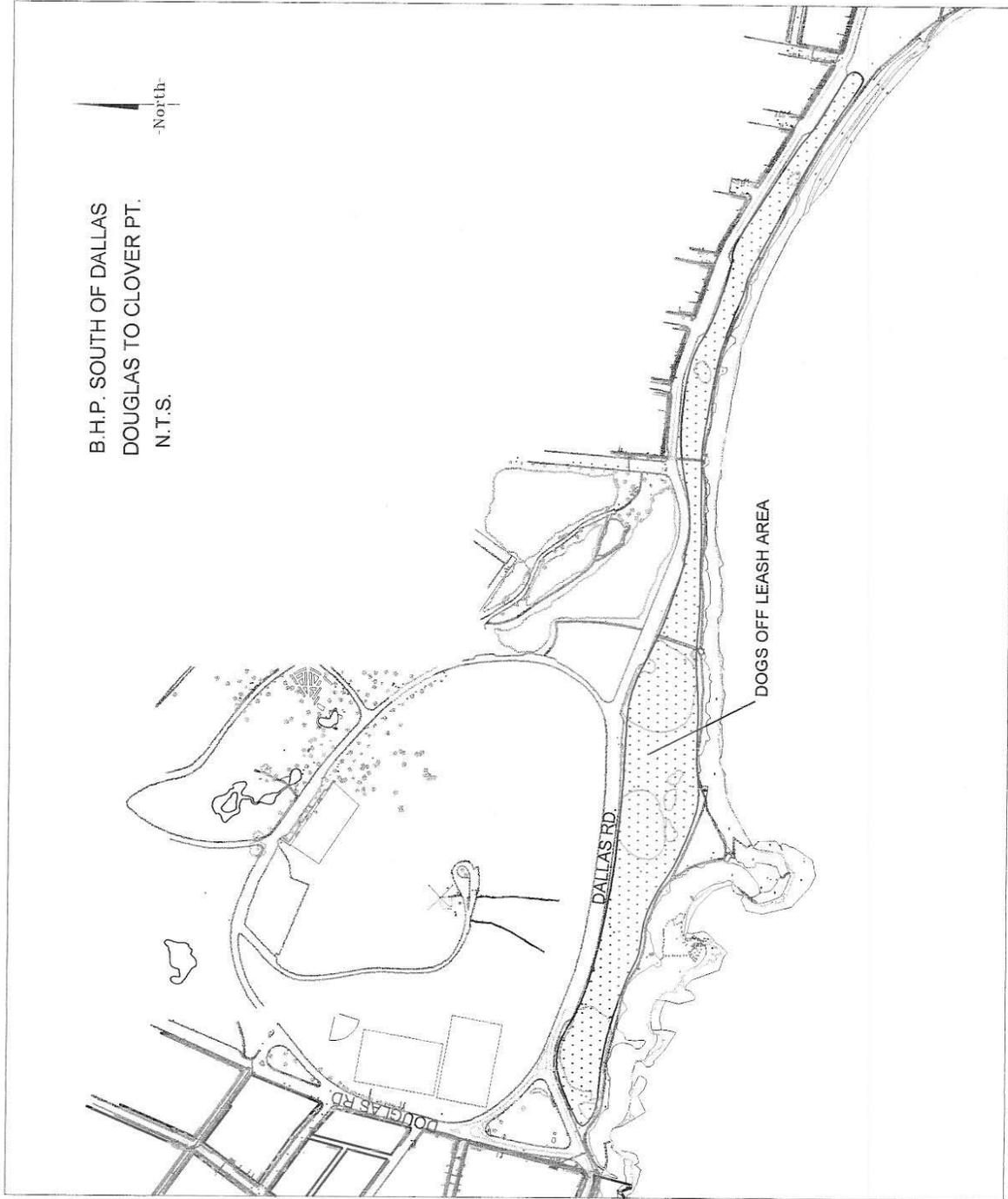
Map of Off Leash Area Arbutus Park



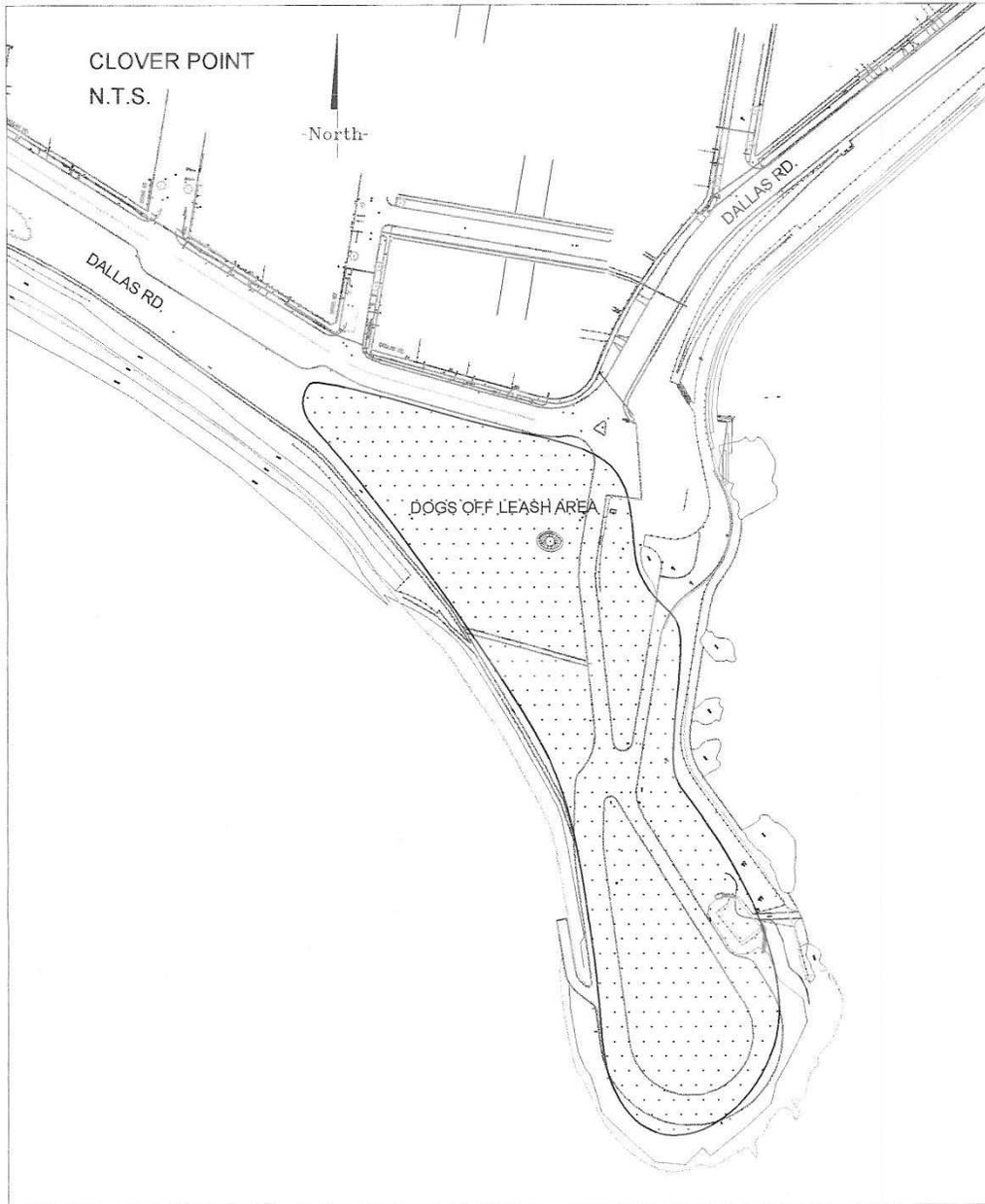
**Map of Off Leash Area
Banfield Park**



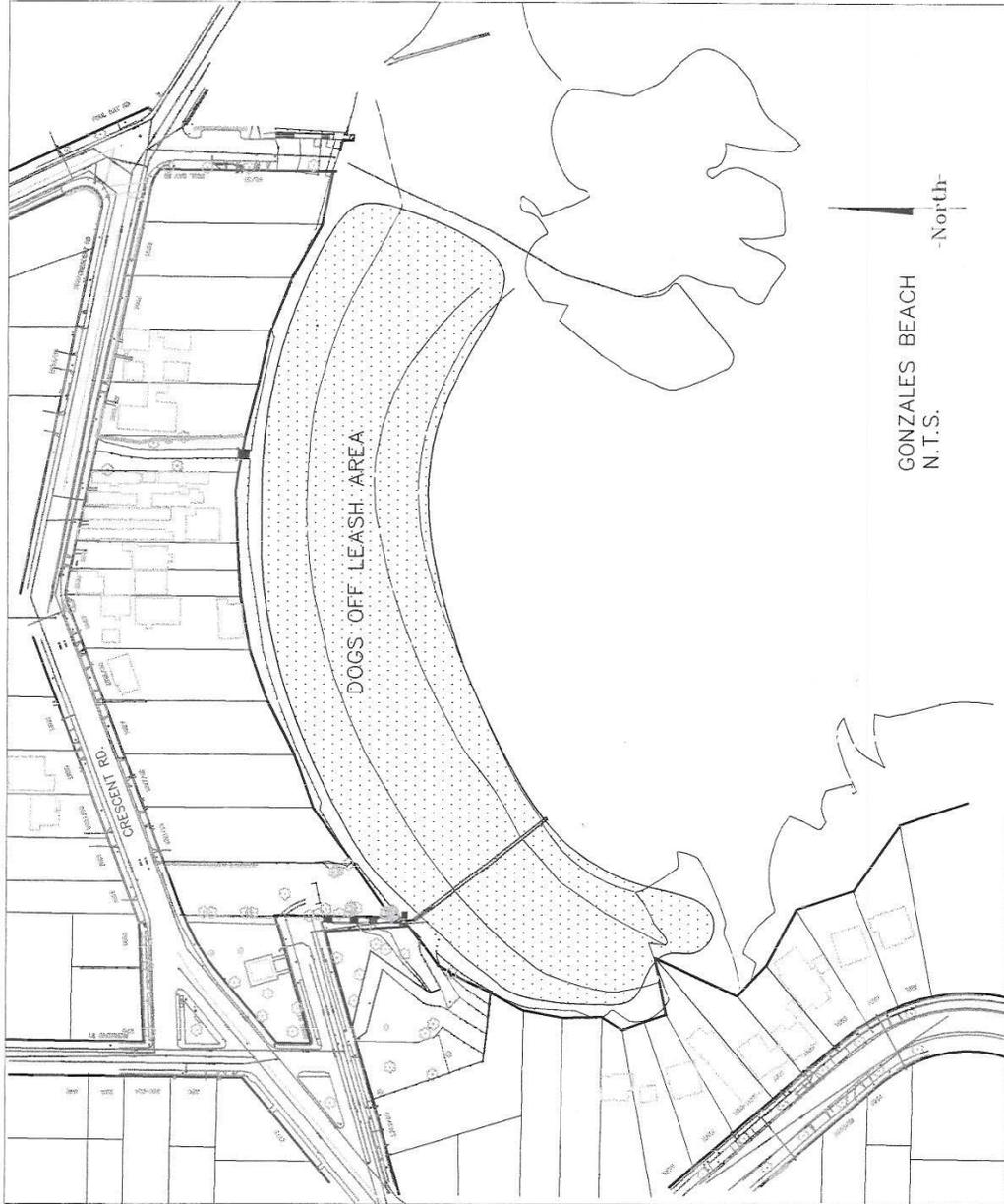
**Map of Off Leash Area
Beacon Hill Park
south of Dallas Road
from Douglas Street to Clover Point Park**



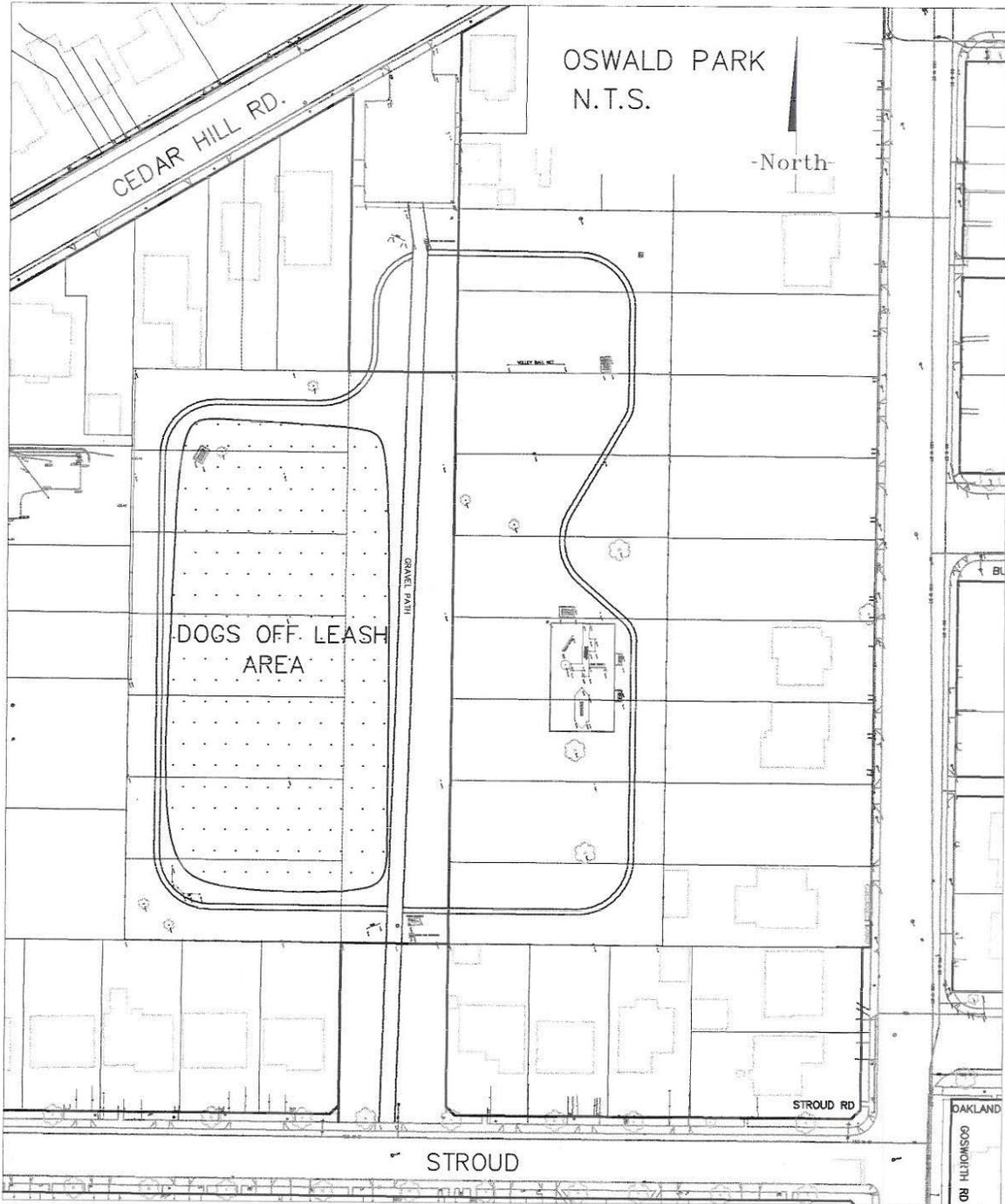
**Map of Off Leash Area
Clover Point Park**



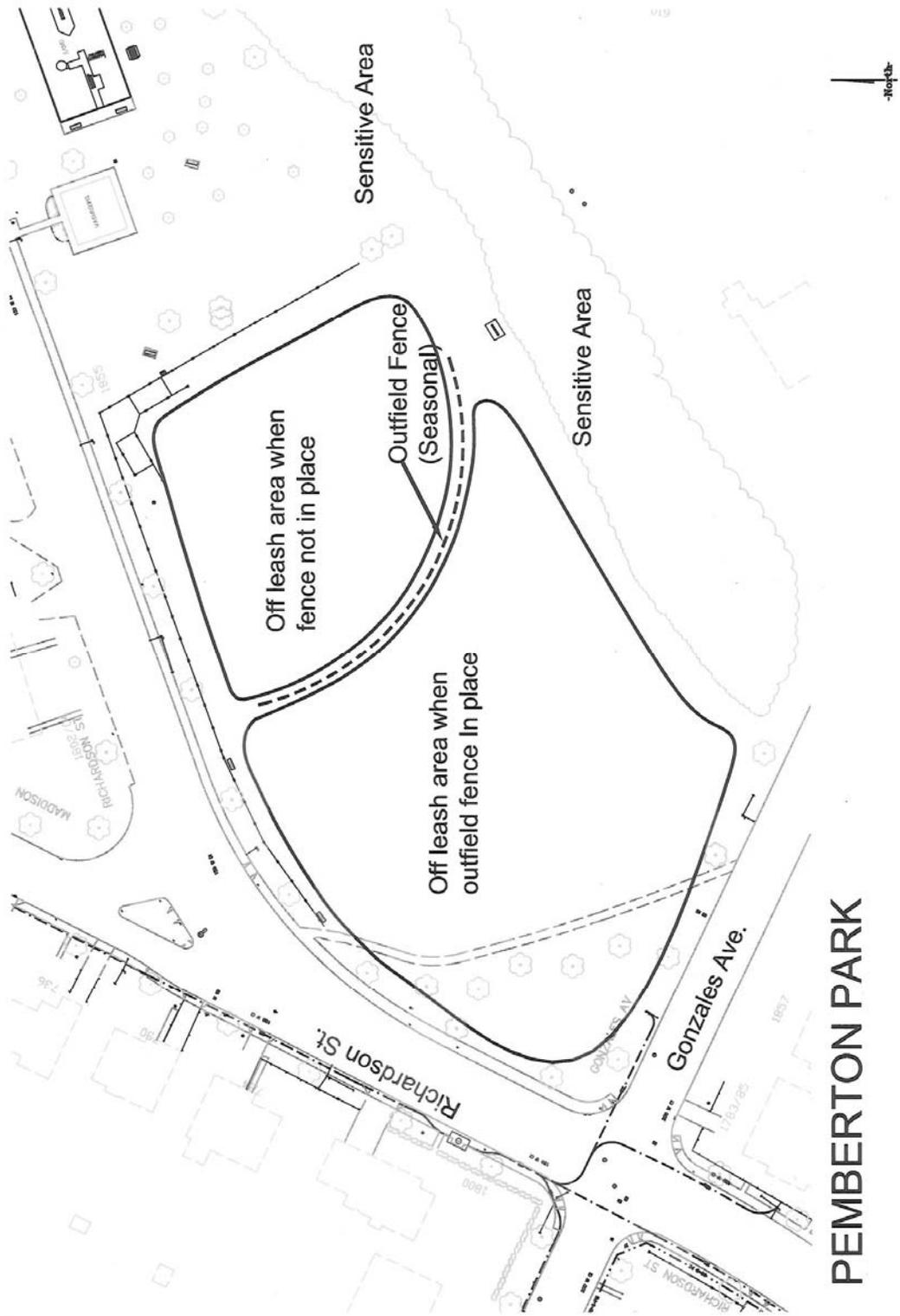
Map of Off Leash Area Gonzales Beach



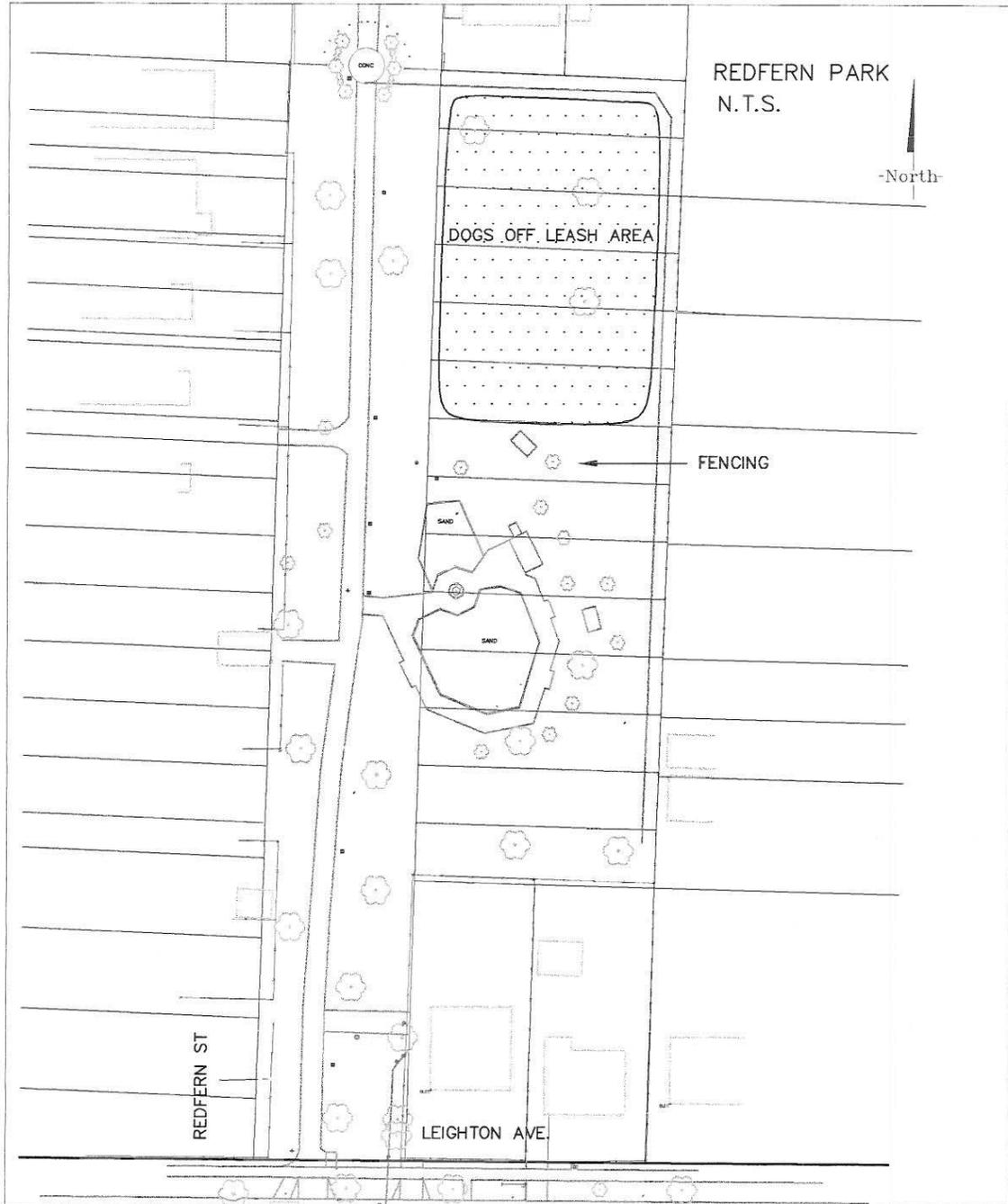
Map of Off Leash Area Oswald Park



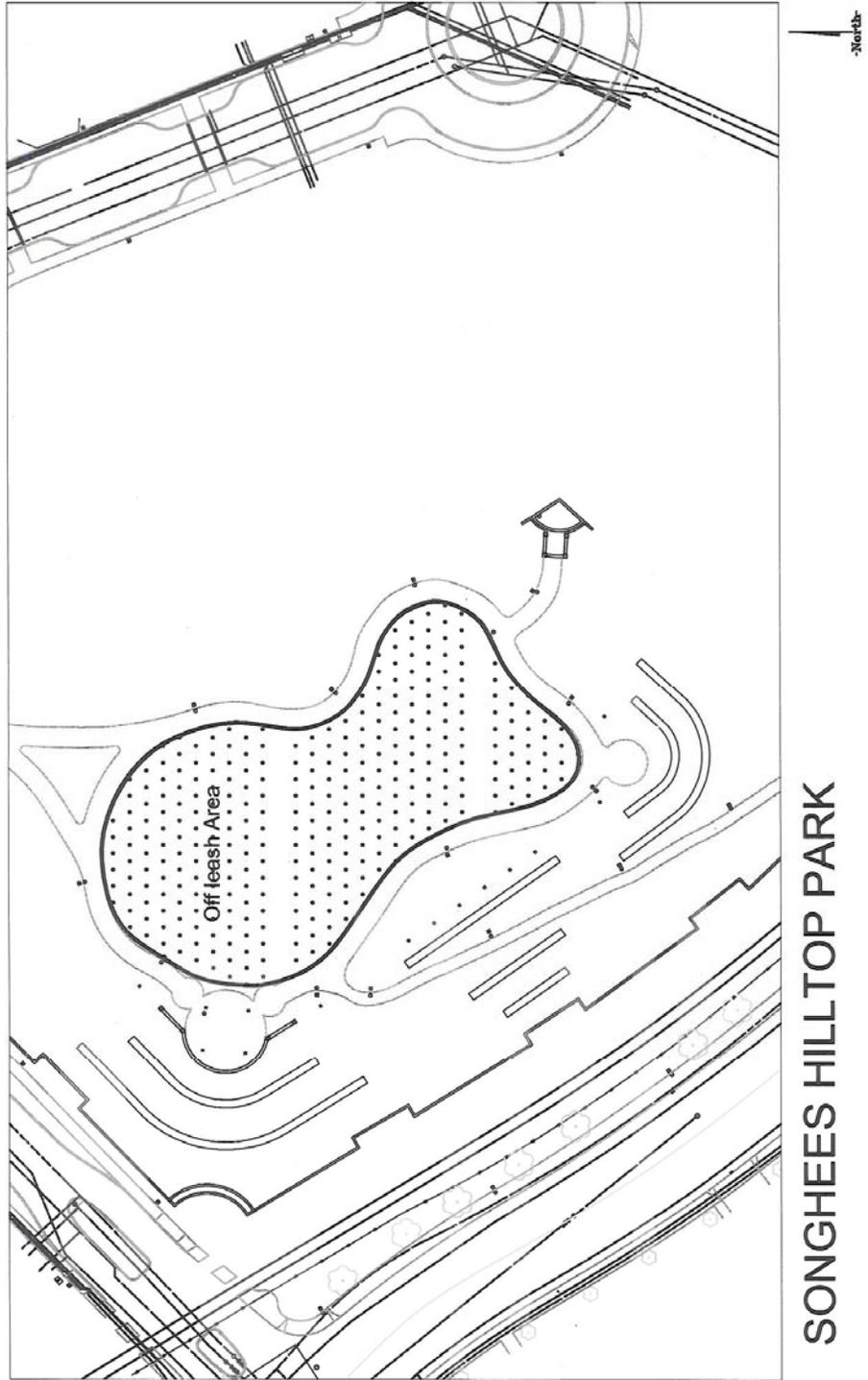
Map of Off Leash Area Pemberton Park



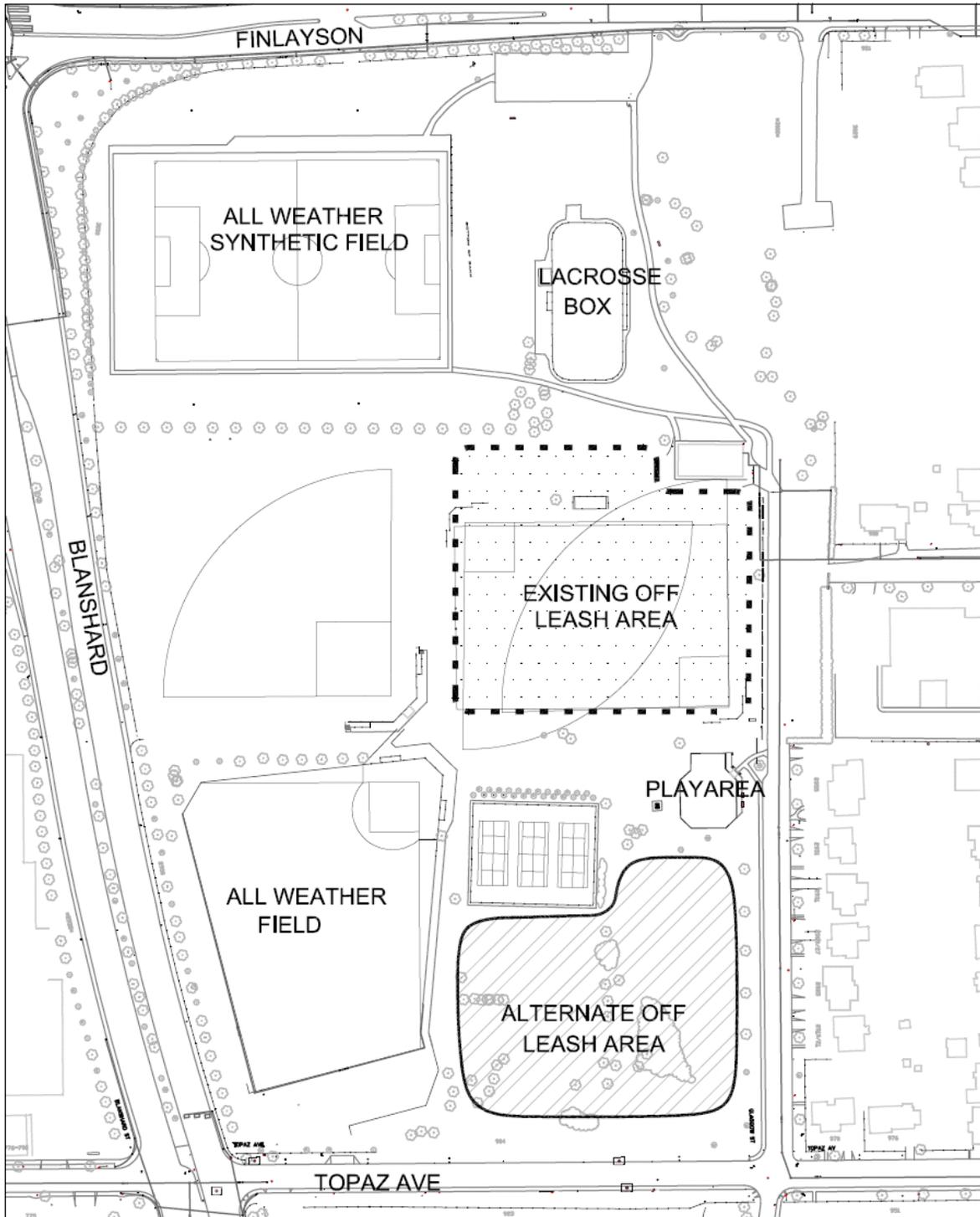
Map of Off Leash Area Redfern Park



**Map of Off Leash Area
Songhees Hilltop Park**



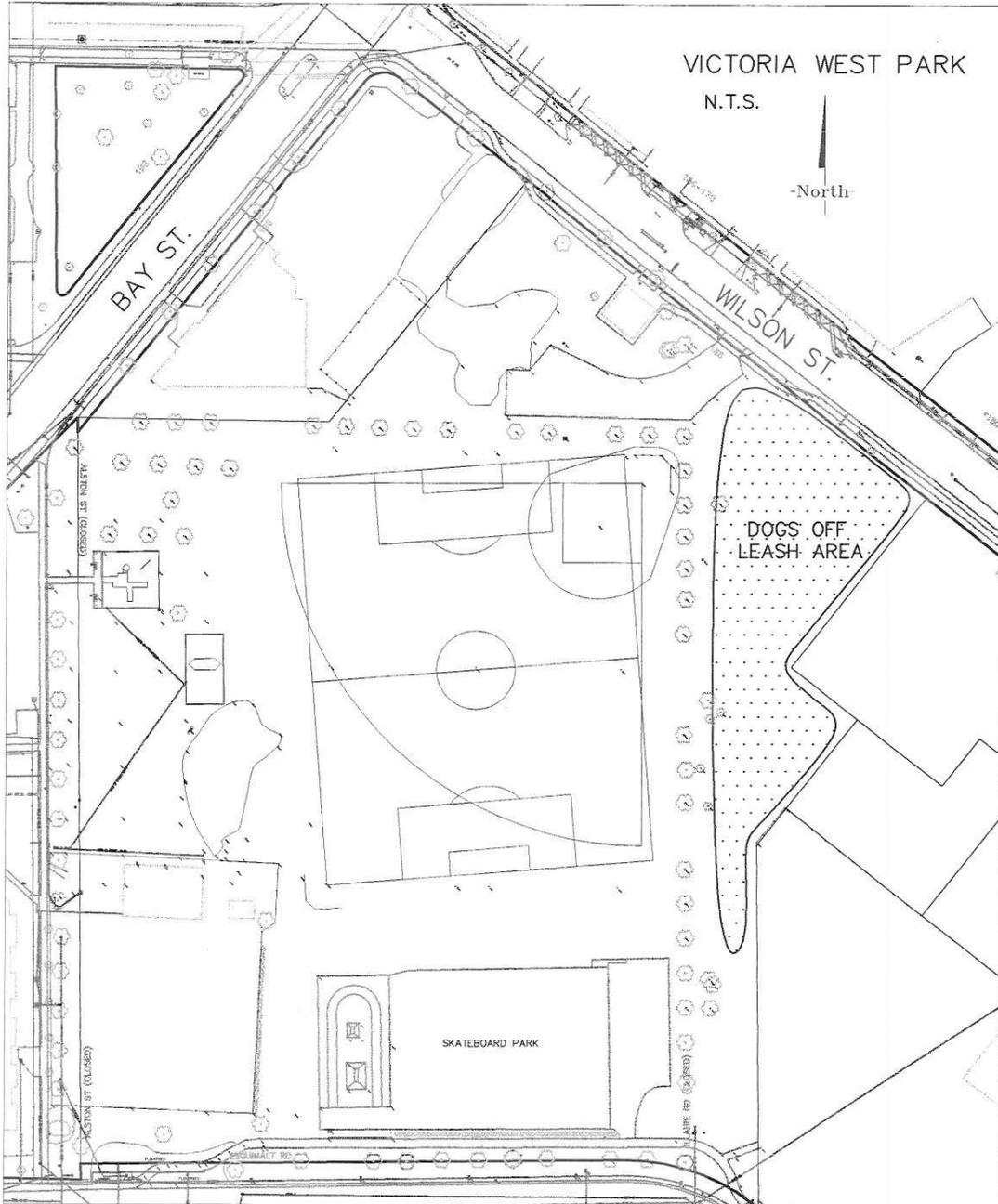
**Map of Off Leash Area and Alternate Off Leash Area
Topaz Park**



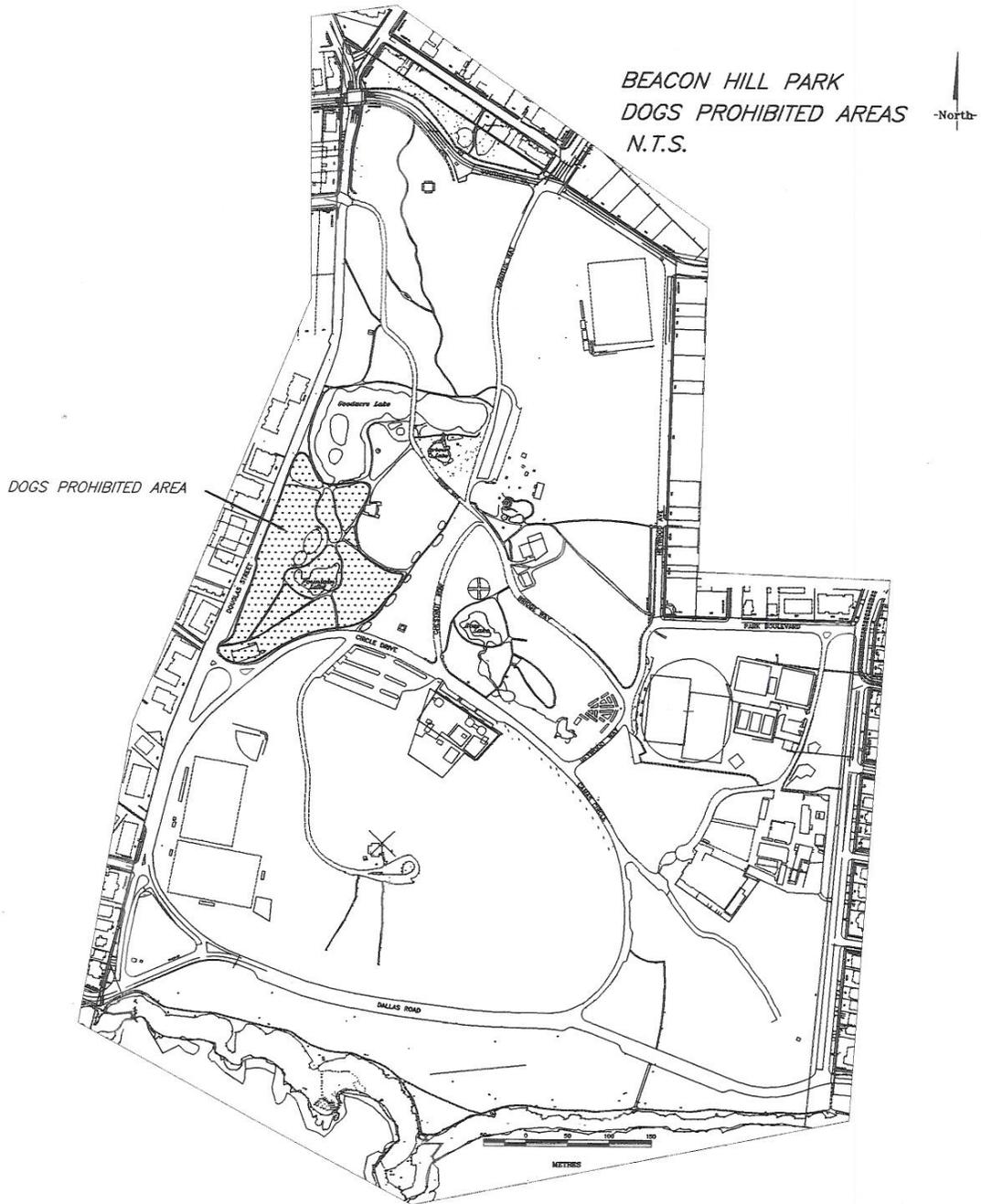
MAP OF OFF LEASH AREA TOPAZ PARK



Map of Off Leash Area Vic West Park



Schedule B
Dogs-Prohibited Area in Beacon Hill Park (section 19(4)(a))



**Schedule C
Dangerous Dog Sign (Section 30(1))**

**WARNING
DANGEROUS DOG ON PREMISES**



Schedule D**Fees****Dog licence fees (Section 32)**

| Description | Fee |
|-----------------------------|------------|
| 1. Sterilized dog licence | \$30.00 |
| 2. Unsterilized dog licence | \$40.00 |
| 3. Late purchase | \$20.00 |
| 4. Replacement licence tag | \$5.00 |

Impoundment fees (Section 43(b)(ii))

| Description | Fee |
|--|------------|
| 5. Call out fee for all impounds conducted between 5:00 p.m. and 9:00 a.m. | \$50.00 |
| 6. Licensed dog | |
| (i) First impound | \$50.00 |
| (ii) Second impound | \$100.00 |
| (iii) Third and subsequent impound | \$150.00 |
| 7. Unlicensed dog | |
| (i) First impound | \$100.00 |
| (ii) Second impound | \$200.00 |
| (iii) Third and subsequent impound | \$300.00 |
| 8. Cat | \$25.00 |

| Description | Fee |
|---|------------|
| 9. Bird, rabbit, rodent or other animal | \$10.00 |

Maintenance fees (Section 43(b)(iii))

| Description | Fee |
|--|------------|
| 10. Dog | \$15.00 |
| 11. Cat | \$10.00 |
| 12. Bird, rabbit, rodent or other animal | \$5.00 |

Schedule E

Prohibited wildlife feeding area (Section 36(2))

