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CORPORATE REPORT

NO: R015 COUNCIL DATE: February 6, 2017

REGULAR COUNCIL

TO:	**Mayor & Council**	DATE:	**February 1, 2017**
FROM:	**Manager, Bylaw Enforcement & Licensing Services** **City Solicitor**	FILE:	**3900-20-19105**
SUBJECT:	**Dog Responsibility Bylaw Review**		

RECOMMENDATION

The Bylaw Enforcement & Legal Services Divisions recommend that Council:

1. Receive this report as information;

2. Authorize the City Clerk to bring forward the related Bylaw, attached as Appendix "I", for the required readings by Council;

3. Approve amendments and authorize the City Clerk to bring forward the "Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508", as documented in Appendix "II" of this report for the required readings by Council; and

4. Approve amendments and authorize the City Clerk to bring forward the "Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691", as documented in Appendix "III" of this report for the required readings by Council.

BACKGROUND

At the June 27, 2016 Council meeting, Council passed the following motion: "Council requests staff to engage canine behaviour experts and review the Dangerous Dog Bylaw, Dog Responsibility Bylaw and current procedures with respect to animal control and report back to Council."

The purpose of this report is to update Council on the review's findings, as well as to obtain approval for repealing the current Dog Responsibility Bylaw with an updated and modernized Animal Responsibility Bylaw; which would also include our Pound Bylaw, and as a result strengthen our toolkit with regards to dogs behaving aggressively in the community.

DISCUSSION

The issues surrounding managing companion animals in any community are complex; although fortunately, there is solid existing data which can provide guidance. Our goal is to promote responsible dog ownership, better prevent dog bites and mitigate risks associated with aggressive dogs. This can be done through increasing the accountability of dog owners and therefore increasing the sense of public safety with respect to dogs.

Our initial review focused on Breed Specific Legislation (BSL). Our analysis within the communities in which BSL has been implemented provided little evidence to suggest that breed bans have had a positive impact on dog attacks. They impart a misleading sense of security and suggest that there is a simple solution to a complex community issue. Studies in other municipalities suggest that BSL has a tendency to compromise rather than enhance public safety.

Staff engaged in a thorough review of existing bylaws and procedures related to aggressive dogs, which included conducting an environmental scan of best practices. As part of this review, staff also consulted with experts, other municipalities, and organizations such as the BC Society for the Prevention of Cruelty to Animals (BCSPA), Canadian Veterinary Medical Association (CVMA), and the American Veterinary Medical Association (AVMA). In addition to these organizations, staff also engaged dog behaviour expert, Dr. Rebecca Ledger, who has served in court as an expert witness in animal cruelty and aggression cases. Dr. Ledger provided an expert opinion on BSL and reviewed our current Dog Responsibility Bylaw and dog control procedures, attached as Appendix "IV". Based on the resulting information from these consultations, our recommendation is to not proceed with Breed Specific Legislation.

Many complaints received are the result of unleashed dogs engaging in inappropriate behaviour which then has the opportunity to escalate into a potentially dangerous situation as the dog owner(s) have limited control over their pet. Increasing the penalties associated with off leash violations is one of a series of recommendations. Strengthening enforcement for the basic compliance with leash rules is the first intervention opportunity we have.

The City of Surrey already has a strong evidence based approach to managing animals. We will continue to adjust our systems to ensure we are recording the most beneficial data to allow for ongoing improvements related to aggressive incidents – for example, breed type and existence and severity of injuries reported.

Our review has lead us to recommend the repealing of our existing Dog Responsibility Bylaw and Pound Bylaw and replacing them with a new Animal Responsibility Bylaw which will provide residents with a clear understanding of the rules and regulations with respect to dogs. Our new proposed bylaw will also be in line with the BC SPCA's municipal model bylaw recommendations, attached as Appendix "V".

The following list highlights some of the key changes that are being proposed:

- Adding new definitions to ensure clarity and enforceability;
- Creating new offense categories to handle aggressive behaviours that occur while a dog is on leash or in a permitted off leash area;

- Penalties for aggressive behaviour ranging from $200 for failing to post a warning sign regarding a guard dog on property, to $1000 for an un-muzzled dangerous dog, thereby including the ability for officers to write multiple penalties;
- Implementing a tiered system of registering dogs – normal, aggressive, vicious, and dangerous, thus providing officers tools to address problematic animal behavior prior to a dangerous event;
- Requirements for owners of dogs that are defined as aggressive, vicious or dangerous, ranging from seeking the assistance of a qualified professional trainer, muzzling restrictions, confinement specifications and signage on the property;
- Adding penalties including escalated licensing fees for the relevant classification of dog ranging from the annual license fee of $43.00 for an altered normal dog, to $500 for a dangerous dog annual license fee;
- Increasing penalties associated with dogs running at large from $200 to $300;
- Including authority for officers to eject a dog(s) from an off leash area;
- Including requirements around the keeping of "Guard Dogs";
- Creating an investigative toolkit for reported aggressive dog behaviour;
- Creating a checklist and annual inspection process for dogs on the registry;
- Providing additional training for staff with respect to dog aggression in order to support consistent application of the bylaw;
- Implementing additional data points to ensure holistic information is captured for every incident investigated; and
- Repealing Dog Responsibility Bylaw No. 13880 and Pound Bylaw No. 1669 for ease of use and consistency; implementing a modern Animal Responsibility Bylaw.

NEXT STEPS

If approved by Council, staff will continue to review all other animal control procedures and policies as they apply to other domestic animals.

The Surrey Animal Resource Centre will also initiate a Responsible Pet Ownership campaign which will provide community outreach regarding humane education opportunities, volunteer training and develop partnerships within the City, as well as with other organizations that will enhance the impact and knowledge sharing opportunities. As an example of some of the activities we will be presenting at the upcoming Focus on Seniors Forum, providing material online and in print supporting happy, healthy pet relationships. The shelter's social media, event and local print materials will be aligned on this strategic theme for the year. The Surrey Animal Resource Centre is a hub for connecting residents with services, other agencies and information for responsible pet ownership. Early interventions such as these and the subsequent relationship developed with the shelter staff and volunteers are expected to decrease the number of conflicts we see related to inappropriate canine behaviour in public spaces.

SUSTAINABILITY CONSIDERATIONS

Implementing a modern Animal Responsibility Bylaw will support the Public Safety theme in the Sustainability Charter 2.0 – **Public Safety and Wellness.**

CONCLUSION

Based on the above discussion, the Bylaw Enforcement and Legal Services Divisions recommend that Council:

- Authorize the City Clerk to bring forward the related Bylaw, attached as Appendix "I", for the required readings by Council;

- Approve amendments and authorize the City Clerk to bring forward the "Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508", as documented in Appendix "II" of this report for the required readings by Council; and

- Approve amendments and authorize the City Clerk to bring forward the "Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691", as documented in Appendix "III" of this report for the required readings by Council.

Jas Rehal, CPA, CMA
Manager, By-law Enforcement & Licensing Services

Craig MacFarlane
City Solicitor

cc: City Manager

Appendix "I": Surrey Animal Responsibility Bylaw, 2017, No. 19105
Appendix "II": Proposed Amendments to the Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508
Appendix "III": Proposed Amendments to the Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691
Appendix "IV": Dr. Ledger's Report
Appendix "V": BC SPCA's Model Municipal Bylaw 2015
Appendix "VI": Letter of Support and Position Statement from the BC SPCA

CITY OF SURREY

BYLAW NO. 19105

Surrey Animal Responsibility Bylaw, 2017, No. 19105

A Bylaw to regulate the keeping of dogs and other animals within the City and to provide for fixing, imposing and collecting licence fees from and the issuance of licences to a person who owns, possesses, harbours, or who has charge of a dog.

.....

WHEREAS it is deemed expedient to regulate the keeping of dogs and other animals within the City of Surrey and to provide for the fixing, imposing and collecting of licence fees from and the issuance of licences to a person who owns, possesses, harbours or who has charge of a dog;

NOW THEREFORE the Council of the City of Surrey, pursuant to the powers vested in it by Part 2, Division 1 and Part 3, Division 6 of the *Community Charter* S.B.C. 2003 c. 26, as amended, ENACTS AS FOLLOWS:

Title

1. This Bylaw may be cited for all purposes as the "Surrey Animal Responsibility Bylaw, 2017, No. 19105"

Definitions

2. In this Bylaw:

"**Aggressive Behaviour**" means any behaviour by a Dog that unduly intimidates a person or Animal and includes snarling, growling or pursuing a person or Animal in a threatening manner;

"**Aggressive Dog**" means a Dog that:

(a) Has without justifiable provocation displayed Aggressive Behaviour toward a person or Animal; or

(b) Has without justifiable provocation caused a Minor Injury to a person or Animal;

"**Animal**" means any Animal excluding humans and wildlife;

"**Animal Control Officer**" means any person appointed by council as an Animal Control Officer or Bylaw Enforcement Officer, and includes a peace officer;

"**Animal Shelter Manager**" means any person appointed by the City as the Animal Shelter Manager or his or her authorized representative;

"**Attack**" means a sustained assault on a person or Animal;

"**Bylaw Manager**" means the manager of the Bylaw Enforcement and Licensing Services Division for the City, or designate;

"**Companion Animal**" means an Animal kept for companionship to a person rather than utility, profit or burden and which is lawfully kept upon residential property;

"**Choke Collar**" means a slip collar or chain that may constrict around the Animal's neck as a result of pulling on one end of the collar or chain, and includes pinch or prong collars but does not include a martingale collar;

"**City**" means the City of Surrey;

"**Council**" or "**City Council**" means the municipal council of the City of Surrey;

"**Dangerous Dog**" means a Dog that:

(a) has killed or Seriously Injured a person;
(b) has killed or Seriously Injured an Animal, while in a Public Place or while on private property, other than property owned or occupied by the person responsible for the Dog;
(c) has previously been deemed a Vicious Dog and has since Attacked or caused injury to a person or Animal after being deemed a Vicious Dog; or
(d) as defined in the *Community Charter* S.B.C. 2003 c. 26, as amended;

"**Dog**" means an Animal of the canine species, irrespective of sex or age;

"**Enclosure**" means a fence or structure at least 2 metres in height and 2 metres in width, forming or causing an Enclosure suitable to prevent unauthorized entry and suitable to confine a Dog in conjunction with other measures taken by the Owner. The Enclosure must be securely enclosed and locked and designed with secure sides, top and bottom and must be designed to prevent the Animal from escaping;

"**Identification**" means

(a) a collar or tag worn by an Animal which includes the name, current address and contact information of the Owner;
(b) a traceable tattoo;
(c) a traceable microchip; or
(d) a valid license tag issued by a local government in British Columbia;

"**Impounded**" means Seized, delivered, received, or taken into the custody of the City or in the custody of the Animal Shelter Manager;

"**Guard Dog**" means a Dog that is specifically trained for or used primarily for the purposes of guarding property, including residential, commercial and industrial property;

"**Guide Dog**" means

(a) a Guide Dog as defined in the Guide Dog And Service Dog Act S.B.C. 2015, c.17, as amended; or
(b) a Dog designated as a Guide Dog pursuant to Section 14 of this Bylaw;

"**Leash**" means a rope, chain, cord, or leather strip no longer than 2 metres, attached to the collar or harness of a Dog, capable of controlling and restraining the activity of the Dog;

"**License Year**" means the period from January 1 to December 31 in any year;

"**Minor Injury**" means a physical injury to a person or Animal that consists of pinches, minor localized bruising, scratches, shallow punctures or lacerations in one direction only;

"**Muzzle**" in reference to a Dog means a humane basket style fastening or covering device that is strong enough and well-fitted enough to prevent the Dog from biting, without interfering with the breathing, panting or vision of the Dog or with the Dog's ability to drink;

"**Neuter**" means the sterilization of a male Animal by removing the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

"**Owner**" includes a person owning, possessing, harbouring or having charge of an Animal or permitting an Animal to remain about the persons' house or premises or to whom a licence for an Animal has been issued pursuant to this Bylaw and where the Owner is a minor, the person who is the legal guardian or has custody of the minor;

"**Park**" means "Park" as defined in the "Surrey Parks, Recreation and Cultural Facilities Regulation By-law, 1998, No. 13480", as amended.

"**Parks Manager**" means "General Manager" as defined in the "Surrey Parks, Recreation and Cultural Facilities Regulation By-law, 1998, No. 13480", as amended.

"**Permanent Identification**" means identification for an Animal in the form of a traceable tattoo or a microchip that contains the current contact information of the Owner;

"**Police Service Dog**" means any Dog owned by the Royal Canadian Mounted Police or any municipal police department while on duty, including while engaged in training exercises and under the supervision of a member of the Royal Canadian Mounted Police or any municipal police department;

"**Public Place**" includes any highway, sidewalk, boulevard, public space, Park or any real property owned, held, operated or managed by the City;

"**Run at Large**" means:

(a) an Animal located elsewhere than on the premises of the person owning or having the custody, care or control of the Animal that is not under the immediate charge and control of a responsible and competent person;
(b) an Animal located upon a highway or other Public Place, including a school ground, Park or public beach, that is not secured on a Leash to a responsible and competent person; or
(c) a Vicious Dog or Dangerous Dog that is on the premises of the Owner that is not contained in an Enclosure or securely confined within a dwelling;

and "**Running at Large**" has a corresponding meaning;

"**Seize**" includes impound and detain;

"**Serious Injury**" means a physical injury to a person or Animal that consists of deep punctures, lacerations in more than one direction, broken bones or an injury requiring stitches or cosmetic surgery;

"**Service Dog**" means:

(a) a Service Dog as defined in the Guide Dog And Service Dog Act S.B.C. 2015, c.17, as amended; or
(b) a Dog designated as a Service Dog pursuant to Section 14 of this Bylaw;

"**Spay**" means the sterilization of a female Animal by removing the ovaries or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association;

"**Unlicensed Dog**" means any Dog over the age of three (3) months that is not licensed by the City or is not wearing a valid and subsisting licence tag issued by a local government within British Columbia;

"**Vicious Dog**" means a Dog that:

(a) has without justifiable provocation caused a Serious Injury to a person or Animal; or
(b) has a known propensity, tendency or disposition to Attack without justifiable provocation; or
(c) has on more than one occasion caused a Minor Injury to a person or Animal; or
(d) has while Running at Large, aggressively pursued or harassed a person without justifiable provocation or has a demonstrated a propensity, tendency or disposition to do so as deemed by an Animal Control Officer or Animal Shelter Manager.

Possession of Animals

3. No person shall keep or allow to be kept on any real property more than six (6) Companion Animals, consisting of not more than three (3) Dogs over the age of eight (8) weeks and not more than five (5) cats over the age of twelve (12) weeks.

Prohibited Animals:

4. Except as provided in Section 5 of this Bylaw, no person shall:

   (a) breed;
   (b) possess;
   (c) exhibit for entertainment or educational purposes; or
   (d) display in public;

   either on a temporary basis or permanent basis, any prohibited Animal outlined in Schedule "A" to this Bylaw.

5. Section 4 does not apply to:

   (a) the premises of a City facility used for keeping Impounded Animals;
   (b) the premises of any police department;
   (c) premises operated by The British Columbia Society for the Prevention of Cruelty to Animals;
   (d) the premises of a veterinarian licensed by the College of Veterinarians of BC, providing the veterinarian is providing temporary care for a prohibited Animal;
   (e) premises that keep prohibited Animals for which a valid permit is in place pursuant to the Wildlife Act, RSBC 1996, c. 488; or
   (f) premises that keep Animals for educational and research purposes, which are accredited by the Canadian Council for Animal Care.

Exemption for Police Service Dogs

6. This Bylaw does not apply to a Police Service Dog while under active duty.

Dog Licences

7. No person shall own, keep, possess or harbour any Dog over the age of three (3) months in the City unless a valid and subsisting licence for the current calendar year has been obtained for the Dog under this Bylaw.

8. If a Dog is required to be licensed pursuant to this Bylaw, the Owner of the Dog shall apply to the City for a licence by the prescribed process set out by the Bylaw Manager and pay the fee set out in Schedule "B" to this Bylaw, and upon receipt of the application and payment of the prescribed fee, the City may issue a numbered Dog licence and corresponding numbered licence tag for that Licence Year.

9. An Owner shall immediately notify the Bylaw Manager of any change with respect to any information provided in an application for a licence under this Bylaw.

10. No person shall give false information when applying for a licence pursuant to this Bylaw.

11. Every licence and corresponding licence tag issued under this Bylaw shall expire on the 31st day of December in the calendar year in which the licence was issued.

12. The licence fees set out in Schedule "B" to this Bylaw shall be reduced by one-half in respect of an application for a licence made on or after August 31st.

13. The Owner of a Dog for which a licence and corresponding licence tag have been issued under this Bylaw shall affix, and keep affixed, the licence tag on the Dog by a collar, harness, or other suitable device, unless the Dog is validly licenced by another local government in British Columbia and is wearing valid Identification.

14. The Owner of a Guide Dog or Service Dog is exempt from the licensing fees in Schedule "B" to this Bylaw.

15. The Owner of a Dog may apply to an Animal Control Officer or authorized representative, in a form acceptable to the Animal Control Officer or Animal Shelter Manager, to have that Dog designated as a Guide Dog or Service Dog for the purposes of this Bylaw and, upon receiving and reviewing an application under this section, the Animal Control Officer or Animal Shelter Manager may at his or her discretion, acting reasonably:

    (a) reject the application; or
    (b) approve the application and designate that Animal as a Guide Dog or Service Dog.

16. The Owner of a Dog for which a licence and corresponding licence tag have been issued under this Bylaw may obtain a replacement licence tag upon satisfying the City that the original licence tag has been lost or stolen and upon payment of the replacement licence fee set out in Schedule "B" to this Bylaw.

17. Where this Bylaw provides for a reduced licence fee for a Dog that is Neutered or Spayed, the application shall be accompanied by a certificate signed by a qualified veterinarian indicating that the Dog has been Neutered or Spayed.

Aggressive Dogs

18. Where a Dog meets the definition of an Aggressive Dog, an Animal Control Officer may issue a written notice to the Owner of that Dog advising the Owner of the requirements of this Bylaw with respect to Aggressive Dogs and which deems that Dog to be an Aggressive Dog.

19. Every Owner of an Aggressive Dog shall:

    (a) secure the Dog by a collar and Leash that is a maximum length of one (1) metre when not on the Owner's property;
    (b) ensure that the Dog is not Running at Large within the City at any time;
    (c) keep the Dog Muzzled when in a designated off-leash area; and

(d) within thirty (30) calendar days of receiving notice that their Dog is an Aggressive Dog, ensure the Dog has Permanent Identification and provide the Permanent Identification information to the City.

20. An Owner, following a period of at least one year from the date stated on the written notice deeming their Dog an Aggressive Dog, may apply to the City for relief from the requirements of Section 19 provided that:

(a) the City has received no further complaints in regard to that Dog's Aggressive Behaviour; and
(b) proof and documentation is provided that the Owner and the Dog have successfully completed a course deemed acceptable to an Animal Control Officer acting reasonably to address the Dog's Aggressive Behaviour.

21. If a Dog displays Aggressive behavior again after relief has been granted pursuant to Section 20, the requirements of Section 19 shall apply in perpetuity.

Vicious Dogs

22. Where a Dog meets the definition of a Vicious Dog, an Animal Control Officer may issue written notice to the Owner of that Dog advising the Owner of the requirements of this Bylaw with respect to Vicious Dogs and which deems that Dog to be a Vicious Dog.

23. Every Owner of a Vicious Dog shall:

(a) secure the Dog by a collar and Leash that is a maximum length of one (1) metre when not on the Owner's property;
(b) ensure that the Dog is not Running at Large within the City at any time;
(c) ensure that the Dog is not in a designated off-leash area in the City at any time;
(d) keep the Dog effectively Muzzled to prevent it from biting another Animal or human when not on the Owner's property;

(e) post a clearly visible sign at all points of entry onto any premises where the Dog is being kept, temporarily or permanently, warning that there is a Vicious Dog on the premises;

(f) at all times while the Vicious Dog is on the person's premises, keep the Vicious Dog securely confined indoors or confined outdoors in an Enclosure;

(g) within thirty (30) calendar days of receiving notice that their Dog is a Vicious Dog ensure the Dog has Permanent Identification and provide the Permanent Identification information to the City.

Dangerous Dogs

24. Where a Dog meets the definition of a Dangerous Dog, an Animal Control Officer may issue written notice to the Owner of that Dog advising the Owner of the requirements of this Bylaw with respect to Dangerous Dogs and which deems that Dog to be a Dangerous Dog.

25. The Owner of any Dog that has been deemed a Dangerous Dog by written notice, may within fourteen (14) calendar days of issuance of that written notice, request in writing that the Bylaw Manager reconsider the decision. The request for reconsideration must be accompanied by:

(a) written reasons why the Owner of the Dog believes the Dog is not a Dangerous Dog; and

(b) a written assessment of the Dog, prepared by a Dog behaviour specialist within the last six (6) months.

26. If the written request for reconsideration referenced is received by the City within the time specified in Section 25, the Bylaw Manager may provide the Owner and any complainant with an opportunity to make representations regarding the Dangerous Dog. The Bylaw Manager may confirm, reverse or amend the decision designating the Dog as a Dangerous Dog and may cancel or modify any restrictions, requirements or conditions imposed by an

Animal Control Officer and impose any new or additional restrictions, requirements or conditions as he or she deems necessary or appropriate in the circumstances.

27. No person shall own or keep any Dangerous Dog unless this Dog is licensed as a Dangerous Dog with the City by an Owner who is over nineteen (19) years of age, who has paid the applicable fee indicated in Schedule "B", and who keeps the Dog in compliance with Sections 29 and 30.

28. In order to obtain a licence for a Dangerous Dog, an Owner of a Dangerous Dog shall supply the following documentation to the City:

    (a) completion of the Dog license application;
    (b) written confirmation from a licensed veterinarian that this Dog has been Neutered or Spayed;
    (c) written confirmation from an Animal trainer approved by the City that the services of such trainer have been retained for the purpose of providing behavioural remediation to this Dog;
    (d) written confirmation that the Owner has obtained a policy of liability insurance specifically covering any damages for injuries caused by this Dog in an amount not less than five hundred thousand dollars, and covering the twelve month period during which licensing is sought;
    (e) written confirmation that the Dog has Permanent Identification with the Permanent Identification information outlined on the application; and
    (f) payment of the Dangerous Dog license fee as outlined in Schedule "B".

29. Every Owner of a Dangerous Dog shall:

    (a) secure the Dog by a collar and Leash that is a maximum length of one (1) metre when not on the Owner's property;
    (b) ensure that the Dog is not Running at Large within the City at any time;
    (c) ensure that the Dog is not in a designated off-leash area in the City at any time;

(d) keep the Dog effectively Muzzled to prevent it from biting another Animal or human when not on the Owner's property;

(e) post a clearly visible sign at all points of entry onto any premises where the Dog is being kept, temporarily or permanently, warning that there is a Dangerous Dog on the premises;

(f) at all times while the Dog is on the person's premises, keep the Dog securely confined indoors or confined outdoors in an Enclosure;

(g) within thirty (30) calendar days of receiving notice that their Dog is a Dangerous Dog, ensure the Dog has Permanent Identification and provide the Permanent Identification information to the Animal Control Officer; and

(h) have the Dangerous Dog photographed and the photo retained at the Animal shelter for Identification purposes.

30. The Owner of a Dangerous Dog shall promptly notify the City's Bylaw Manager if:

(a) the Dog is found to be Running at Large; or

(b) the Dog's place of residence changes, is given away or dies.

31. If the Owner of a Dangerous Dog is unwilling or unable to comply with the requirements of Sections 28 through 30, this Dog may be Seized and Impounded for a fourteen (14) day holding period, after which the Dog may be euthanized.

32. The Owner of a Dangerous Dog may, within fourteen (14) calendar days of Impoundment, request the release of a Dangerous Dog by submitting to the Animal Shelter Manager a letter providing proof of his or her actions of remediation to the contraventions of this Bylaw, as outlined in Sections 28 and 29.

Guard Dogs

33. Every Owner of a Guard Dog shall prevent the Guard Dog from leaving the property of the Owner by ensuring:

    (a) the Guard Dog is confined within the premises and these premises are reasonably secure against unauthorized entry;
    (b) the premises are completely enclosed by means of a two (2) metre fence constructed in accordance with City bylaws and any gates in such fence are reasonably secured against unauthorized entry;
    (c) the Guard Dog is securely confined in an area within the premises that is adequate to ensure that the Guard Dog cannot escape;
    (d) post warning signs advising of the presence of a Guard Dog on the premises, with lettering clearly visible from the lesser of the curb line of the property and 15 (fifteen) metres from the premises, and posted at each driveway or entranceway to the property and at all exterior doors of the premises; and
    (e) before bringing the Guard Dog onto the premises under control of the Owner, notify the Animal Shelter Manager, the Fire Department, the Bylaw Enforcement and Licensing Services Division, and the police of the address of the property which the Guard Dog will be guarding, the approximate hours during which the Guard Dog will be performing guard duties, the breed, age, sex and licence number of the Guard Dog and the full names, addresses and telephone numbers of the Owner and any other individual who will be responsible for the Guard Dog while it is on guard duty.

Animal Responsibility Regulations and Prohibitions

34. No Owner shall keep or harbour any Animal which by its howling, barking, or cries unduly disturbs the peace, quiet, rest or tranquility of persons in the surrounding neighbourhood or the public at large.

35. No Owner or person having the custody, care or control of an Animal, shall allow or suffer the Animal to Run at Large in the City.

35.1 The Parks Manager may designate and post precise locations and dates where Dogs are not permitted within a Park. No Owner or person having the custody, care or control of a Dog shall allow the Dog to be within a park in a designated "no dogs permitted" area.

36. No Owner shall permit or allow an Animal to:

(a) bite, aggressively harass, or chase other Animals, bicycles, automobiles or vehicles;
(b) display Aggressive Behaviour towards a person or Animal;
(c) bite a person or other Animal, causing Minor Injury, whether on the property of the Owner or not; or
(d) cause Serious Injury or death to a person or animal.

37. When in a designated off-leash area, every Owner of a Dog, may allow their Dog to be off-leash provided that the Owner:

(a) carry a Leash;
(b) keep the Dog in view at all times;
(c) keep the Dog under control;
(d) immediately remove feces and dispose appropriately; and
(e) immediately Leash the Dog if it displays any Aggressive Behaviour.

38. Every Owner of an intact female Dog shall, at all times when the Dog is in heat, keep the Dog securely confined within a building or an Enclosure.

39. Every Owner shall, at all times when his or her Animal is off the premises of the Owner, immediately remove or cause to be removed any feces deposited by the Animal and dispose of the feces in a sanitary manner.

40. Every Owner of a diseased Animal must, where the disease poses a threat to the health or safety of a person or Animal, ensure that the diseased Animal does not leave the property or premises of the Owner other than for the purpose of a visit to a veterinarian, in which case

the Animal must be transported in a manner so as to ensure that it does not come into contact with another person or Animal.

41. A person who finds and takes possession of an Animal in the City shall immediately provide the Animal Shelter Manager with:

(a) a description and photograph of the Animal where possible; and
(b) if the Animal is wearing Identification, the information contained on the Identification.

Care of Animals

42. No Owner shall keep any Animal in the City unless the Animal is provided with:

(a) clean potable drinking water and food in sufficient quantity and of a recognized nutritional quality to allow for the Animal's normal growth and the maintenance of the Animal's normal body weight;
(b) food and water receptacles which are clean;
(c) the opportunity for regular exercise sufficient to maintain the Animal's good health, including daily opportunities to be free of an Enclosure and exercised under appropriate control; and
(d) necessary veterinary care when the Animal exhibits signs of pain, injury, illness, suffering, or disease.

43. No Owner shall keep any Animal outside unless the Animal is provided with outside shelter:

(a) which ensures protection from heat, cold and wet that is appropriate to the Animal's weight and type of coat;
(b) which provides sufficient space to allow any Animal the ability to turn about freely and to easily stand, sit and lie in a normal position; at least two (2) times the length of the Animal in all directions, and at least as high as the Animal's height measured from

the floor to the highest point of the Animal when standing in a normal position plus 10%;

(c) which provides sufficient shade to protect the Animal from the direct rays of the sun at all times;

(d) which contains bedding that will assist with maintaining normal body temperature; and

(e) which is regularly cleaned and sanitized and all excreta removed and properly disposed of at least once a day.

44. 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 Owners 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; or 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;

(c) 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;

(d) to be hitched, tied, or fastened to a fixed object unattended at any time; or

(e) to be hitched, tied, or fastened to a fixed object for longer than four (4) hours within a 24 hour period.

45. No Owner of any Dog shall keep a Dog in an Enclosure unless all of the following requirements are met:

(a) the dimensions of the Enclosure must be in accordance with the requirements set out in this Bylaw;

(b) the location of the Enclosure shall be within a rear yard and shall meet the requirements for an accessory structure contained within the "Surrey Zoning By-law, 1993, No. 12000", as amended;

(c) the Enclosure shall include an outside shelter that conforms to Section 43 of this Bylaw;
(d) the Enclosure must be regularly cleaned and sanitized and all excreta removed at least once a day; and
(e) the Owner of any Dog shall ensure that such Dog is not confined to an Enclosure in excess of ten (10) hours within any twenty four (24) hour period.

46. No Owner shall keep an Animal confined in an Enclosure, or an enclosed space including, but not limited to a motor vehicle, without sufficient ventilation to prevent the Animal from suffering discomfort or heat related injury. Such enclosed space or vehicle (if stationary) shall be in an area providing sufficient shade to protect the Animal from direct rays of sun at all times.

47. No Owner may transport an Animal in a vehicle outside of the passenger compartment or in an uncovered passenger compartment unless it is adequately confined to a pen or cage or unless it is secured in a body harness or other manner of fastening to prevent it from jumping or falling off the vehicle or otherwise injuring itself.

48. Notwithstanding any other provision of this Bylaw, no person shall:

a. abandon any Animal;
b. tease, torment, or provoke an Animal;
c. cause, permit or allow an Animal to suffer; or
d. train or allow any Animal to fight.

Abilities of an Animal Control Officer

49. An Animal Control Officer may Seize:

(a) any Unlicensed Dog; or
(b) any Animal found to be Running at Large contrary to this Bylaw.

50. The Animal Control Officer may, where necessary, employ the use of lures, baits, nets, tranquilizer guns, sonic and mechanical devices or any other means of apprehending Animals.

Obstruction

51. No person shall hinder, delay, or obstruct in any manner, directly or indirectly, an Animal Control Officer in carrying out the duties and powers of an Animal Control Officer under this Bylaw.

52. Every occupier of premises where any Animal is kept or found and every person where encountered, having at that time the apparent custody of an Animal, shall immediately, upon demand made by an Animal Control Officer or a peace officer, truthfully and fully supply the following information:

(a) his or her name;
(b) the number of Animals owned or kept by him or her, their breed, sex, and general description;
(c) the place where such Animals are kept; and
(d) whether the Animals are currently licensed or registered.

Standard of Care

53. Any Animal Impounded may be provided with the basic Animal care provisions described in this Bylaw and with the requirements set out in A Code of Practice for Canadian Kennel Operations (Canadian Veterinary Medical Association, 2007).

54. The Animal Shelter Manager may ensure that all Animals Seized under this Bylaw receive sufficient food, water, shelter, and, if necessary, reasonable veterinary attention, and that the Animals are not mistreated during Seizure and Impoundment.

55. During the Impoundment period, the Animal Shelter Manager may:

(a) provide such veterinary care for an injured or ill Impounded Animal as may be necessary to sustain its life; and

(b) be entitled to recover from the Owner, the cost of veterinary care provided while the Animal was Impounded, in addition to any other fees due to the City for the redemption of the Animal.

56. If an Animal Shelter Manager considers that an Impounded Animal requires:

(a) a vaccination;
(b) flea treatment;
(c) worm treatment;
(d) examination by a veterinarian; or
(e) urgent veterinary care to alleviate any pain or suffering as recommended by a veterinarian, then the Animal Shelter Manager may cause such care to be provided at the sole cost and expense of the Animal's Owner.

57. The Animal Shelter Manager shall be entitled to demand and receive the daily boarding fees found in Schedule "C", over and above all other charges.

58. During the Impoundment period, the Animal Shelter Manager may euthanize any Animal deemed to be seriously ill or injured for humane reasons.

Retention of Animal

59. The Animal Shelter Manager may retain the Animal for a period of not less than ninety six (96) hours.

60. Where an Animal is Seized pursuant to this Bylaw, the Animal Shelter Manager may screen for Identification.

Redemption and Costs

61. An Owner of an Animal Seized under this Bylaw, or any person authorized in writing on the Owner's behalf, may redeem the Animal at any time prior to its adoption, euthanasia, or disposal under this Bylaw upon:

    (a) delivery to the Animal Shelter Manager of evidence satisfactory to the Animal Shelter Manager of Ownership of the Animal;
    (b) payment of the Impoundment and maintenance fees, costs, and charges incurred in respect of the Seizure and boarding of the Animal as set out in Schedule "C" to this Bylaw;
    (c) the payment for the actual costs incurred for the veterinary care of the Animal; and
    (d) licensing or registration of the Animal with the City and payment of the current requisite licence or registration fee if the Animal is required to be licensed or registered pursuant to this Bylaw and is not licensed or registered.

Failure to Redeem

62. After an Animal has been Impounded for longer than ninety six (96) hours, the Animal Shelter Manager may direct that the Animal:

    (a) be offered to the general public for adoption;
    (b) be placed with any person or organization deemed acceptable by the Animal Shelter Manager; or
    (c) be euthanized.

63. The Animal Shelter Manager may, pursuant to this Bylaw, put up for adoption any Animal Impounded under the following conditions:

(a) no dog, cat or rabbit shall be adopted unless it is reproductively sterile and it is vaccinated; and
(b) no dog, cat or rabbit shall be adopted unless it has an acceptable form of Permanent Identification.

64. Where the Owner of an Animal has been determined and all reasonable efforts to contact such Owner have been made, but the Owner does not claim the Animal, the Owner shall be responsible for payment of the fees described in Schedule "C" to the City.

65. No person shall take or release any Animal from the Animal shelter without the consent of the Animal Shelter Manager.

66. The Animal Shelter Manager may accept an Animal from the Owner of such Animal for the purpose of having the Animal euthanized or otherwise disposed of upon payment of the required fee listed in Schedule "C".

67. The Owner of any dead Companion Animal may request the service of an Animal Control Officer to pick up and dispose of the dead Companion Animal. Upon receipt of the cremation and pick up fee specified in Schedule "C", the Animal Control Officer may pick up and dispose of the dead Companion Animal.

Right of Refusal to Release from Impoundment

68. Upon reasonable grounds, the Animal Shelter Manager has the right to refuse to any person the release or adoption of any Animal for any of the following reasons:

(a) to protect the safety of the public from the Animal;
(b) to protect the safety of the Animal from the public;
(c) to protect the health and welfare of the Animal from the individual;

(d) if the person is under nineteen (19) years of age; or

(e) for any reason, such that the Animal Shelter Manager does not feel that the individual has the ability to responsibly care for the Animal.

69. An Owner whose Animal was refused release pursuant to Section 68 may request that the Animal Shelter Manager reconsider the decision to retain the Animal by notifying the Animal Shelter Manager within fourteen (14) calendar days of the date of the decision. Such a request must be in writing and must include the reasons why the Owner believes the decision should be reconsidered.

70. Upon receipt of a completed request the Animal Shelter Manager may:

(a) if he or she has not already done so, give the Owner written reasons for the refusal to release the Animal; and

(b) reconsider the refusal to release the Animal and may uphold or overturn the original decision.

71. If, within fourteen (14) calendar days after the decision to retain was made or confirmed, an Animal that was refused release pursuant to Section 68 is not claimed by its Owner and the applicable requirements of Section 68 are not satisfied, the Animal shall be deemed to have been surrendered to the City and the Animal Shelter Manager may cause the Animal to be made available for adoption or otherwise disposed of, including by euthanasia.

Offences and Penalties

72. Any written notice issued by the City as provided for in this Bylaw shall be considered effective fourteen (14) calendar days after the written notice was sent by the City via regular mail.

73. Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of the Bylaw shall be guilty of an offence under this Bylaw and shall be liable on summary conviction to a penalty of not less than fifty dollars

($50.00) and not more than two thousand dollars ($2,000.00) or to imprisonment for not more than six months or to both. If the offence is a continuing one, each day that the offence is continued shall constitute a separate offence. Nothing in this section shall restrict the City's ability to enforce this Bylaw in any other manner permitted by law.

Severability

74. If any section or lesser portion of this Bylaw is held to be invalid by a Court, such invalidity shall not affect the remaining portions of the Bylaw.

Repeal

75. The "Surrey Dog Responsibility By-law, 1999, No. 13880" and all amendments thereto are hereby repealed.

76. The "Surrey Pound By-law, 1958, No. 1669" and all amendments thereto are hereby repealed.

PASSED FIRST READING on the _____ day of _____, 2017.

PASSED SECOND READING on the _____ day of _____, 2017.

PASSED THIRD READING on the _____ day of _____, 2017.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the _____ day of _____, 2017.

Schedule "A"

LIST OF PROHIBITED ANIMALS

1. all nonhuman primates
2. all felidae, except the domestic cat
3. all canidae, except the domestic Dog
4. all ursidae (bears)
5. all proboscidea (elephants)
6. all pinnipedia (seals, walrus)
7. all marsupials
8. all edentates (anteaters)
9. all xenartha (such as sloths, armadillos, and tamanduas)
10. all monotremata (spiny anteater and platypus)
11. all venomous or poisonous reptiles and amphibians
12. all reptiles and amphibians over 2 feet adult size
13. all venomous or poisonous invertebrates (such as black widow spiders, tarantulas, and blue-ringed octopus)
14. all ungulates, except the bison and the domestic breeds of cow, goat, sheep, pig, horse, mule, donkey, ass, llama, and alpaca
15. all hyenidae (hyenas)
16. all hyracoidean (hyraxes)
17. all erinaceidae (tenrecs and hedgehogs)
18. all mustelidae (skunks, weasels, otters, wild ferrets), except the domestic ferret
19. all procyonidae (raccoons, coatimundis)

20. all viverridae (civets and genets)
21. all herpestidae (mongooses)
22. all cetacea (whales, porpoises, dolphins)
23. all rodentia, except the hamster, gerbil, guinea pig, domestic mouse, and domestic rat
24. all chiroptera (bats), colugos (flying lemurs), and scandentia (treeshrews)
25. all lagomorphs (rabbits and hare), except the domestic rabbit
26. all birds except the domestic quail, pheasant, pigeon, chicken, duck, goose and turkey, plus the budgie, cockatiel, lovebird, finch, and canary; and
27. all saltwater fish.

Schedule "B"

LICENCING:

Dogs

a) Neutered male or Spayed female $43.00

b) Other than (a) above $70.00

c) Guard Dog/Aggressive Dog $132.00

d) Vicious Dog $200.00

e) Dangerous Dog $500.00

f) Guide Dog/Service Dog $0.00

g) Police Services Dog $0.00

h) New licences issued from August 1 to December 31 of any given year shall be subject to a fee equal to 50% of the above noted fees. This does not apply to renewals or to Dogs eligible to be licensed prior to August 1.

i) Persons over the age of 65 shall be subject to a fee equal to 50% of the above noted fees. Replacement of licence $5.00

Schedule "C"

IMPOUNDMENT (Release to Owner):

DOGS

1) Unlicensed $108.00
2) Licensed
    a) Spayed or Neutered $32.25
    b) Not Spayed or Neutered $47.25
    c) Aggressive or Guard Dog $300.00
    d) Vicious Dog $500.00
    e) Dangerous Dog $1000.00
    f) A Dog where it has caused injury while Running at Large $1000.00
    g) Dangerous Dog where it has caused injury while Running at Large $5000.00

CATS AND OTHER SMALL ANIMALS

Cats

a) Spayed or Neutered $10.00
b) Not Spayed or Neutered $50.00

Other Small Domestic Animals $10.00

LIVESTOCK

a) stallion or bull…$500.00

b) horse or cow…$200.00

c) goat or sheep…$50.00

d) rabbit, goose, chicken or other fowl…$10.00

e) in addition to these fees the Owner(s) of the Animal(s) shall be liable for any hauling fees incurred by the Animal Shelter Manager and any other extraordinary costs, due and payable upon reclamation.

ADOPTION OF ANIMALS

a) Puppy (up to and including 1 year of age) $250.00

b) Dog (over 1 year up to and including 7 years of age) $200.00 (plus license fee if applicable)

c) Dog (over 8 years of age) $80.00 (plus license fee if applicable)

d) Cat (up to and including 7 years of age) $150.00

e) Cat (over 8 years) $80.00

f) Small Animals $5.00-$40.00

BOARDING OF ANIMALS:

a) Rate per Day

b) Cat $6.50

c) Dog $16.00

d) Stallion, horse, mule, ass, boar, billy goat, ram, goat, sheep, swine, bull, cow or other bovine Animal $15.00

e) for each rabbit, goose, chicken or other fowl $5.00

f) for Animals other than those listed above $10.00

EUTHANASIA:

a) 0 – 50 lbs $100.00

b) 21 – 50 lbs $150.00

c) 51 – 100+ lbs $200.00

CREMATION SERVICES:

General Cremations – no ashes returned

a) 0 – 20 lbs $50.00

b) 21 – 50 lbs $75.00

c) 51 – 75 lbs $100.00

d) 76 – 100 lbs $125.00

e) 101 + lbs $150.00

Animal Pick Up Fee $50.00 per pick up

Appendix "II"

CITY OF SURREY

BYLAW NO. 19106

A bylaw to amend the provisions of "Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508", as amended.

.....

The Council of the City of Surrey, ENACTS AS FOLLOWS:

1. "Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508" as amended, is hereby further amended as follows:

a) Schedule 1 is amended as follows:

i. Section 3 is deleted in its entirety and replaced with the following:

3. Surrey Animal Responsibility Bylaw, 2017, No. 19105	- Manager, Bylaw Enforcement and Licensing Services - Bylaw Enforcement Officer - Animal Shelter Manager - Animal Control Officer - Member of the Royal Canadian Mounted Police

ii. Section 21 is deleted in its entirety.

b) Schedule 4 is deleted in its entirety and replaced with a new Schedule 4 attached hereto and forming part of this Bylaw.

c) Schedule 22 is deleted in its entirety.

2. This Bylaw shall be cited for all purposes as "Surrey Municipal Ticket Information Utilization Bylaw, 1994, No. 12508, Amendment Bylaw, 2017, No. 19106".

PASSED FIRST READING on the _____ day of _____, 2017.

PASSED SECOND READING on the _____ day of _____, 2017.

PASSED THIRD READING on the _____ day of _____, 2017.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the _____ day of _____, 2017.

_____MAYOR

_____CLERK

SCHEDULE 4 TO BY-LAW NO. 12508

SURREY ANIMAL RESPONSIBILITY BYLAW, 2017, No. 19105	SECTION	FINE
1. Keeping of excessive companion animals	3	$200.00
2. Keeping of prohibited animal	4	$450.00
3. Fail to licence	7	$200.00
4. Falsify information on licence application	10	$200.00
5. Failure to affix dog licence tag	13	$200.00
6. Aggressive dog improperly leashed	19 (a)	$300.00
7. Aggressive dog at large	19 (b)	$300.00
8. Aggressive dog not muzzled in off-leash area	19 (c)	$300.00
9. Aggressive dog without permanent identification	19 (d)	$150.00
10. Vicious dog improperly leashed	23 (a)	$450.00
11. Vicious dog at large	23 (b)	$450.00
12. Vicious dog in off-leash area	23 (c)	$450.00
13. Vicious dog not muzzled	23 (d)	$450.00
14. Vicious dog warning sign not posted	23 (e)	$200.00
15. Vicious dog not in enclosure	23 (f)	$200.00
16. Vicious dog without permanent identification	23 (g)	$200.00
17. Keeping dangerous dog	27	$1000.00
18. Dangerous dog improperly leashed	29 (a)	$450.00
19. Dangerous dog at large	29 (b)	$1000.00
20. Dangerous dog in off-leash area	29 (c)	$1000.00
21. Dangerous dog not muzzled	29 (d)	$1000.00
22. Dangerous dog warning sign not posted	29 (e)	$450.00
23. Dangerous dog not in enclosure	29 (f)	$450.00
24. Dangerous dog without permanent identification	29 (g)	$450.00
25. Fail to provide photograph of dangerous dog	29 (h)	$450.00
26. Fail to notify of dangerous dog at large	30 (a)	$450.00
27. Fail to notify of dangerous dog location change	30 (b)	$450.00
28. Fail to prevent unauthorized entry	33 (a)	$200.00
29. Fail to fence property adequately	33 (b)	$200.00
30. Fail to confine guard dog	33 (c)	$450.00

31. Fail to post guard dog warning sign	33 (d)	$200.00
32. Fail to register guard dog	33 (e)	$200.00
33. Fail to prevent excessive animal noise	34	$200.00
34. Animal at large	35	$300.00
35. Dog in prohibited area	35.1	$300.00
36. Chase, threaten or bite	36 (a)	$450.00
37. Aggressive behaviour to person or animal	36 (b)	$300.00
38. Dog causes minor injury	36 (c)	$450.00
39. Dog causes serious injury	36 (d)	$1000.00
40. Failure to have leash	37 (a)	$200.00
41. Fail to control dog	37 (c)	$200.00
42. Fail to remove feces in off-leash area	37 (d)	$200.00
43. Fail to leash and remove dog	37 (e)	$200.00
44. Fail to confine dog in heat	38	$200.00
45. Fail to remove animal feces	39	$200.00
46. Fail to confine diseased animal	40	$200.00
47. Fail to provide food/water	42 (a)	$200.00
48. Fail to clean receptacles	42 (b)	$200.00
49. Fail to provide exercise	42 (c)	$200.00
50. Fail to provide vet care	42 (d)	$200.00
51. Fail to meet shelter standards	43 (a)	$200.00
52. Shelter space inadequate	43 (b)	$200.00
53. Shelter shade inadequate	43 (c)	$200.00
54. Shelter bedding inadequate	43 (d)	$200.00
55. Fail to clean shelter	43 (e)	$200.00
56. Dog tied to object improperly	44 (a)	$450.00
57. Dog confined by neck	44 (b)	$450.00
58. Dog tether of insufficient length	44 (c)	$450.00
59. Dog tied unattended	44 (d)	$450.00
60. Dog tied for over four hours	44 (e)	$450.00
61. Enclosure space inadequate	45 (a)	$450.00
62. Improper location of enclosure	45 (b)	$200.00
63. Failure to include shelter within enclosure	45 (c)	$200.00
64. Fail to clean dog enclosure	45 (d)	$200.00
65. Dog confined in enclosure too long	45 (e)	$200.00

66. Inadequate ventilation	46	$450.00
67. Improperly confined for transport	47	$450.00
68. Abandon an animal	48 (a)	$450.00
69. Tease, torment or provoke an animal	48 (b)	$450.00
70. Cause or permit animal suffering	48 (c)	$450.00
71. Cause or permit animal fighting	48 (d)	$450.00
72. Obstruction of animal control officer	51	$300.00

CITY OF SURREY

BYLAW NO. 19109

A bylaw to amend the provisions of "Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691", as amended.

.....

The Council of the City of Surrey, ENACTS AS FOLLOWS:

1. "Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691", as amended, is hereby further amended as follows:

    a) Schedule A is amended as follows:

        i. Part 2 is deleted in its entirety and replaced with a new Part 2, attached hereto and forming part of this Bylaw.

        ii. Part 17 is deleted in its entirety.

2. This Bylaw shall be cited for all purposes as "Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691, Amendment Bylaw, 2017, No 19109".

PASSED FIRST READING on the _____ day of _____, 2017.

PASSED SECOND READING on the _____ day of _____, 2017.

PASSED THIRD READING on the _____ day of _____, 2017.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the _____ day of _____, 2017.

_____MAYOR

_____CLERK

Part 2						
A1	**A2**	**A3**	**A4**	**A5**	**A6**	**A7**
Bylaw No.	Section	Description	Penalty	Early Payment Penalty	Late Payment Penalty	Compliance Agreement Available (50% of Penalty)
Surrey Animal Responsibility Bylaw						
19105	3	Keeping of excessive companion animals	$200.00	$150.00	$250.00	Yes
19105	4	Keeping of prohibited animal	$450.00	$400.00	$500.00	Yes
19105	7	Fail to licence	$200.00	$150.00	$250.00	Yes
19105	10	Falsify information on licence application	$200.00	$150.00	$250.00	Yes
19105	13	Failure to affix dog licence tag	$200.00	$150.00	$250.00	Yes
19105	19 (a)	Aggressive dog improperly leashed	$300.00	$250.00	$350.00	Yes
19105	19 (b)	Aggressive dog at large	$300.00	$250.00	$350.00	Yes
19105	19 (c)	Aggressive dog not muzzled in off-leash area	$300.00	$250.00	$350.00	Yes
19105	19 (d)	Aggressive dog without permanent identification	$150.00	$100.00	$200.00	Yes
19105	23 (a)	Vicious dog improperly leashed	$450.00	$400.00	$500.00	Yes
19105	23 (b)	Vicious dog at large	$450.00	$400.00	$500.00	Yes
19105	23 (c)	Vicious dog in off-leash area	$450.00	$400.00	$500.00	Yes
19105	23 (d)	Vicious dog not muzzled	$450.00	$400.00	$500.00	Yes
19105	23 (e)	Vicious dog warning sign not posted	$200.00	$150.00	$250.00	Yes
19105	23 (f)	Vicious dog not in enclosure	$200.00	$150.00	$250.00	Yes
19105	23 (g)	Vicious dog without permanent identification	$200.00	$150.00	$250.00	Yes
19105	29 (a)	Dangerous dog improperly leashed	$450.00	$400.00	$500.00	Yes
19105	29 (e)	Dangerous dog warning sign not posted	$450.00	$400.00	$500.00	Yes
19105	29 (f)	Dangerous dog not in enclosure	$450.00	$400.00	$500.00	Yes
19105	29 (g)	Dangerous dog without permanent identification	$450.00	$400.00	$500.00	Yes
19105	29 (h)	Fail to provide photograph of dangerous dog	$450.00	$400.00	$500.00	Yes
19105	30 (a)	Failure to notify of dangerous dog at large	$450.00	$400.00	$500.00	Yes

19105	30 (b)	Failure to notify of dangerous dog location change	$450.00	$400.00	$500.00	Yes
19105	33 (a)	Fail to prevent unauthorized entry	$200.00	$150.00	$250.00	Yes
19105	33 (b)	Fail to fence property adequately	$200.00	$150.00	$250.00	Yes
19105	33 (c)	Fail to confine guard dog	$450.00	$400.00	$500.00	Yes
19105	33 (d)	Fail to post guard dog warning sign	$200.00	$150.00	$250.00	Yes
19105	33 (e)	Fail to register guard dog	$200.00	$150.00	$250.00	Yes
19105	34	Fail to prevent excessive animal noise	$200.00	$150.00	$250.00	Yes
19105	35	Animal at large	$300.00	$250.00	$350.00	Yes
19105	35.1	Dog in prohibited area	$300.00	$250.00	$350.00	Yes
19105	36 (a)	Chase, threaten or bite	$450.00	$400.00	$500.00	Yes
19105	36 (b)	Aggressive behaviour to person or animal	$300.00	$250.00	$350.00	Yes
19105	36 (c)	Dog causes minor injury	$450.00	$400.00	$500.00	Yes
19105	37 (a)	Failure to have leash	$200.00	$150.00	$250.00	Yes
19105	37 (c)	Fail to control dog	$200.00	$150.00	$250.00	Yes
19105	37 (d)	Fail to remove feces in off-leash area	$200.00	$150.00	$250.00	Yes
19105	37 (e)	Fail to leash and remove dog	$200.00	$150.00	$250.00	Yes
19105	38	Fail to confine dog in heat	$200.00	$150.00	$250.00	Yes
19105	39	Fail to remove animal feces	$200.00	$150.00	$250.00	Yes
19105	40	Fail to confine diseased animal	$200.00	$150.00	$250.00	Yes
19105	42 (a)	Fail to provide food/water	$200.00	$150.00	$250.00	Yes
19105	42 (b)	Fail to clean receptacles	$200.00	$150.00	$250.00	Yes
19105	42 (c)	Fail to provide exercise	$200.00	$150.00	$250.00	Yes
19105	42 (d)	Fail to provide vet care	$200.00	$150.00	$250.00	Yes
19105	43 (a)	Fail to meet shelter standards	$200.00	$150.00	$250.00	Yes
19105	43 (b)	Shelter space inadequate	$200.00	$150.00	$250.00	Yes
19105	43 (c)	Shelter shade inadequate	$200.00	$150.00	$250.00	Yes
19105	43 (d)	Shelter bedding inadequate	$200.00	$150.00	$250.00	Yes
19105	43 (e)	Fail to clean shelter	$200.00	$150.00	$250.00	Yes
19105	44(a)	Dog tied to object improperly	$450.00	$400.00	$500.00	Yes
19105	44 (b)	Dog confined by neck	$450.00	$400.00	$500.00	Yes
19105	44 (c)	Dog tether of insufficient length	$450.00	$400.00	$500.00	Yes
19105	44 (d)	Dog tied unattended	$450.00	$400.00	$500.00	Yes
19105	44 (e)	Dog tied for over four hours	$450.00	$400.00	$500.00	Yes
19105	45 (a)	Enclosure space inadequate	$450.00	$400.00	$500.00	Yes
19105	45 (b)	Improper location of enclosure	$200.00	$150.00	$250.00	Yes
19105	45 (c)	Failure to include shelter within enclosure	$200.00	$150.00	$250.00	Yes

19105	45 (d)	Fail to clean dog enclosure	$200.00	$150.00	$250.00	Yes
19105	45 (e)	Dog confined in enclosure too long	$200.00	$150.00	$250.00	Yes
19105	46	Inadequate ventilation	$450.00	$400.00	$500.00	Yes
19105	47	Improperly confined for transport	$450.00	$400.00	$500.00	Yes
19105	48 (a)	Abandon an animal	$450.00	$400.00	$500.00	Yes
19105	48 (b)	Tease, torment or provoke an animal	$450.00	$400.00	$500.00	Yes
19105	48 (c)	Cause or permit animal suffering	$450.00	$400.00	$500.00	Yes
19105	48 (d)	Cause or permit animal fighting	$450.00	$400.00	$500.00	Yes
19105	51	Obstruction of animal control officer	$300.00	$250.00	$350.00	Yes

Review of Current Animal Control Legislation & Evidence-based Animal Control Recommendations for the City of Surrey

November 2016

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Table of Contents

Executive Summary

This report is in 3 parts:

Part (1)
Justification for Breed-specific legislation: Efficacy and enforceability of BSL

Thousands of people and dogs live together in the City of Surrey, and thus conflict inevitably arises between people, dogs and other domestic animals. Existing City of Surrey Bylaws seek to minimize the extent of this conflict by way of legislation and enforcement that restricts the ownership of dogs with a high propensity to act aggressively. This legislation is based on individual dog behaviour, and not breed-specific traits.

In light of public pressure arising from the media's coverage of various dog attacks in the Lower Mainland, and also elsewhere across Canada, the City of Surrey have been asked by some constituents to consider whether 'breed specific legislation' (BSL) is a necessary amendment to current animal control legislation.

While BSL is intended to reduce the number of people and animals that are injured by dogs, opponents of BSL have raised concerns regarding a) its lack of efficacy (i.e. that BSL does not lead to a reduction in dog bites, serious or otherwise), b) challenges with enforcement and, c) the welfare consequences for dogs that are targeted by BSL (arising from off-leash restrictions, muzzling orders, neutering requirements, and the seizure, incarceration and euthanasia of individuals based on appearance etc).

Following a review of the most relevant peer-reviewed scientific literature on the subject, it is concluded that, currently, no data exists to support the implementation of breed specific legislation.

Part (2)
Bylaw review and recommendations

The City of Surrey's Dog Responsibility By-law, 1999, No. 13880 By-law seeks "to regulate the keeping of dogs within the City and to provide for fixing, imposing and collecting license fees from and the issuance of licenses to a person who owns, possesses, or harbours a dog."

The Bylaw provides definitions of terms that are relevant to the responsible control of dogs, and requirements for the licensing and safe management of dogs. This second part of the report provides makes recommendations for amendments to this existing legislation.

In addition, recommendations are made below regarding additional Sections to the Bylaw, which would seek to minimize the importation, breeding and irresponsible management of aggressive dogs.

Part (3)
Best practices and other generalized feedback

The City of Surrey is concerned regarding the incidence of serious and non-serious dog bite attacks on people and other animals. In order to reduce the incidence of such cases beyond what is achieved under current legislation and enforcement, the following practices may be considered:

1) Taking into account provocation and the general health of a dog when applying dangerous dog legislation.

2) Rehabilitation and the possibility of a retraction of a 'dangerous dog' designation in successfully rehabilitated dogs.

3) Restrictions on the importation of aggressive dogs into the City of Surrey.

4) Restrictions on the ownership of dogs by irresponsible individuals.

5) Education resources for animal control officers, dog owners, trainers, veterinarians, children and non-dog owners. Plus, the development of park etiquette and a Code of Practice for safe interactions with dogs.

6) Research and data collection, to evaluate risk factors for dog bites in the City of Surrey, and to monitor the effectiveness of dog bite preventions strategies.

Part (1)
1.1 The efficacy and enforceability of Breed Specific Legislation

The aim of breed specific legislation (BSL) is to reduce the incidence of dog bites to people and domestic animals, by restricting the breeding and keeping of specific dog breeds that are thought to be the most dangerous.

Currently, BSL has been implemented or is under consideration in various municipalities across British Columbia, and the rest of Canada.

However, opponents of BSL have raised concerns regarding a) its poor enforceability, b) its lack of efficacy and, c) the welfare consequences for dogs and people that are targeted by BSL.

The concerns expressed by stakeholders are contentious, in part because the evidence for the enforceability and effectiveness of BSL is not clear-cut.

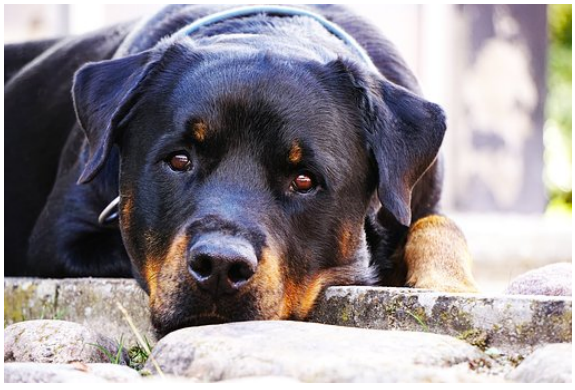
According to published research, the efficacy of BSL varies depending on the source of the data, the demographic characteristics of the area under study, the level of enforcement in situations where BSL is implemented, and importantly, the quality of the bite incidence data that is reported.

Furthermore, the attitudes of community members to BSL are often influenced by media reports of aggressive dog attacks that tend to identify specific breeds as being mostly responsible.

This creates challenges for the City of Surrey, and other Municipalities, who are looking to reduce the number of dog bites using strategies that are humane, fair, effective, evidence-based, and that can be clearly justified to community members.

The first section of this report describes the evidence that is available regarding the efficacy and enforceability of BSL.

Based on this, recommendations are provided regarding whether the City of Surrey should implement BSL in their Municipality.



1.2 What is Breed-Specific Legislation?

The UK was one of the first countries in the world to introduce breed-specific legislation (The Home Office, Dangerous Dogs Act, 1991). As is the case with other jurisdictions that have enacted BSL, the legislation has been implemented as a result of a perceived over-representation of these breeds being responsible for serious bites to people and other animals.

Across the world, breed specific legislation varies in terms of the breeds that are targeted and the requirements for keeping those breeds. Breeds are often identified based on public perceptions regarding the aggressiveness and potential risk associated with each breed, rather than empirical data regarding dog bites.

Some factors common to many of these breeds include:

a) Their size and strength: These are all medium to large sized dogs, that are physically capable of inflicting serious injury on a human or other animal.

b) Many of these breeds are considered 'Molosser-type' dogs. These include large, muscular, solid-built dogs that were originally bred to be guardians and protectors of livestock.

c) Some of these breeds have been and are presently bred and trained by some individuals in some areas for protection and fighting.

d) Within their jurisdictions, these aggressiveness of these breeds has been widely reported by local media, and led to a public perception that they are over-represented in dog bite statistics.

The following 46 breeds have been included in BSL across Europe, Australasia and North America:

A

Alaskan Malamute (Malaysia)

American Bulldog (Denmark, Malaysia, Singapore)

American pit bull terrier (Republic of Ireland, Australia, Manitoba, Denmark, Malaysia, Malta, New Zealand, Puerto Rico, Singapore, Spain)

American Staffordshire terrier (Manitoba, Denmark, Germany, Malaysia, Norway, Portugal, Puerto Rico, Romania, Singapore, Spain)

Australian Dingo (Bermuda)

B

Ban Dog (Republic of Ireland, Romania)

Belgian Shepherd (Malaysia)

Belgian Malinois (Romania)

Boerboel (Romania, Singapore)

Bull Mastiff (Republic of Ireland, Bermuda, Singapore)

Bull Terrier (Germany, Israel, Singapore, Spain)

C

Caucasian Shepherd Dog (Denmark)

Central Asian Shepherd Dog (Denmark)

Czechoslovakian Wolfdog (Norway)

D

Doberman Pinscher (Republic of Ireland, Romania, Singapore)

Dogo Argentino (UK, Australia, Denmark, Israel, Manitoba, Malta, New Zealand, Norway, Portugal, Puerto Rico, Romania, Singapore, Spain)

Dogue de Bordeaux (Malaysia)

E

East European Shepherd (Malaysia)

Estrela Mountain Dog (Malaysia)

English Bull Terrier (Republic of Ireland)

F

Fila Braziliero (UK, Australia, Denmark, Israel, Malaysia, Malta, New Zealand, Norway, Portugal, Singapore)

German Shepherd (Republic of Ireland, Malaysia, Romania, Singapore)
Giant Schnauzer (Romania)

J

Japanese Akita (Republic of Ireland, Bermuda, Malaysia, Singapore)

Japanese Tosa (UK, Australia, Denmark, Malta, Republic of Ireland, Malaysia, New Zealand, Romania, Singapore, Turkey)

K

Kai Ken (Malaysia)

Kangal (Denmark)

Komondor (Romania)

Kuvasz (Romania)

M

Miniature Bull Terrier (Malaysia)

N

Neopolitan Mastiff (Malaysia, Romania, Singapore)

O

Ovcharka (Malaysia)

P

Perro de Presa Canario or Pressa Canerio (Australia, Malaysia, Romania, Singapore)

Perro de Presa Mallorquin (Malaysia)

Pit bull terrier (UK, Australia, Brazil, Bermuda, Ecuador, France, Germany, Israel, Ontario, Norway, Venezuela, Poland, Manitoba, Puerto Rico, Romania, Singapore, Turkey)

R

Rafeiro do Alentejo (Malaysia)

Rhodesian Ridgeback (Republic of Ireland)

Rottweiler (Republic of Ireland, Ecuador, Israel, Malaysia, Portugal, Romania, Singapore)

Russo-European Laika (Malaysia)

S

Sarplaninac (Denmark)

South Russian Shepherd (Denmark)

Staffordshire bull terrier (Republic of Ireland, Bermuda, Germany, Israel, Malaysia, Portugal, Puerto Rico, Manitoba, Romania, Spain)

T

Tibetan Mastiff (Malaysia)

Tornjak (Denmark)

Tosa Inu (Israel, Norway, Portugal)

W

Wolf hybrids (Norway)

1.3 Types of Breed Specific Legislation

Breed specific legislation is highly variable between jurisdictions.

• Whereas some jurisdictions have BSL, others do not.

• Whereas legislation in some jurisdictions distinguishes between breeds according to their perceived aggressiveness and strength, others do not.

• Whereas BSL is strictly enforced in some jurisdictions, on other places it is not.

• Whereas BSL is strictly enforced in some jurisdictions, on other places it is not, until such time that there is a complaint made against a dog for being aggressive.

• Where BSL does exist, it can take different forms:

Types of restriction

• Possession may be defined as the keeping, harboring, ownership, exercise control over, transport, transfer and other types of possession of certain breeds.

• The possession of restricted breeds may be banned completely, often termed 'an outright ban'. The ban may include the ownership of dogs born within the jurisdiction and / or dogs imported from outside of the jurisdiction.

• Some jurisdictions have a grandfathering clause, which allows dogs living with their owners in a specific location, to keep their dogs until a defined period (such as until the death of the dog).

• Restriction may allow an individual to own a restricted breed under certain conditions.

• Legislation often refers to the prohibition of the 'sale, acquisition, advertisement or giving away' of certain breeds.

Identification

Dogs may need to be identified using permanent and / or temporary means. These may include:

• A valid dog license
• A collar and tag, with contact information and vaccination details
• Microchip
• Tattoo
• Photographed and / or registered with a database
• DNA analysis

Physical health

• Annual health examination
• Up to date on required vaccinations

Breeding restrictions

• Male and female dogs must be neutered or spayed by a specified age, to prevent the breeding of these dogs.

• Intact dogs must not be bred from.

• Any puppies bred to restricted breeds must be reported to the restricted dog registry or equivalent, and removed from the jurisdiction by a specified age.

Restrictions of re-homing and adoptions

• Registered breeders, hobby breeders, individuals, breed rescue groups and rescue shelters may not re-home individuals identified as being of a restricted breed (within or outside of the jurisdiction).

• The number of restricted dogs owned by an individual or that reside at a single address may be limited.

• The death, departure from the jurisdiction or birth of any offspring of the dog must be reported to the restricted dog registry or equivalent.

Muzzling requirements

The dog must be muzzled:

• At all times when outside of the owners' home
• At all times when off of the owner's property
• At all times when either on or off of the owner's property

Containment restrictions

• Dogs will not be allowed to stray or to be at large.

• The size and construction (materials, security etc), of confinement for the dog may be specified.

• This containment may include details of the security of rooms in which the dog is kept, entrances into the home, pens in he dog's yard, and fencing around the yard itself.

• Features, such as the pen being 'child-proof' and 'escape-proof' may also be specified.

• Notify the restricted dog registry or equivalent should the dog escape, stray / be at large.

Leashing requirements

• The dog may need to be kept on leash at specified locations, such as at all times when the dog is off of the owner's property.

• The maximum length of a leash on which the dog may be walked may be specified.

• The person(s) permitted to walk the dog may be restricted (e.g. names individuals, individuals of a certain age, individuals with a certain level of competency etc).

Signage

A sign may need to be posted on the dog's home, to notify or warn the public that a 'dangerous dog' lives at this address.

Training and licensing

• Dogs must be licensed in their jurisdiction on required databases

• Owners and dogs may need to undergo training and assessment in order to be permitted to walk together.

• Dogs may not be trained or used in dog fighting.

Liability insurance and bonds

Owners may be required to have liability insurance and / or to place bonds, in order to keep their dog.

1.4 BSL in Canada

There is no federal breed specific legislation in Canada. However, all of Ontario and Winnipeg, Manitoba have BSL.

In **Ontario**, since 2005, no person shall no person shall,

(a) own a pit bull;
(b) breed a pit bull;
(c) transfer a pit bull, whether by sale, gift or otherwise;
(d) abandon a pit bull other than to a pound operated by or on behalf of a municipality, Ontario or a designated body;
(e) allow a pit bull in his or her possession to stray;
(f) import a pit bull into Ontario; or
(g) train a pit bull for fighting.

Pit bulls are "grandfathered" if they were owned by an Ontario resident on August 29, 2005, or born in Ontario within 90 days after August 29, 2005. These dogs are subject to the following regulation and control:

1) Pit bulls must be muzzled and kept on a leash no more than 1.8 meters long when in public or not on enclosed property

2) Pit bulls must be spayed or neutered unless a veterinarian certifies the dog is physically unfit to be anesthetized

3) Pit bulls are automatically euthanized if a court finds they have bitten, attacked, or posed a menace, or if their owners are found to be in violation of the law or a related court order.

4) Pit bull owners are entirely liable for any and all damage caused by a bite or an attack.

A document purporting to be signed by a member of the College of Veterinarians of Ontario stating that a dog is a pit bull within the meaning of this Act is receivable in evidence in a prosecution for an offence under this Act as proof, in the absence of evidence to the contrary, that the dog is a pit bull for the purposes of this Act, without proof of the signature and without proof that the signatory is a member of the College.

In **Winnipeg**, Manitoba, "Pit Bull dogs" (including the Pit Bull Terrier, Staffordshire Bull Terrier, American Staffordshire Terrier, American Pit Bull Terrier, Dogo Argentino, or any dog which has the appearance and physical characteristics predominantly conforming to CKC or AKC standards for these breeds breeds), within the City of Winnipeg, is and shall be conclusively deemed a dangerous dog.

No person shall keep or harbour any Pit Bull dog regardless of age on or after June 1, 1990, except where the owner has a valid dangerous dog license for that dog which has been issued prior to that date

Penalties for non-compliance with BSL

Penalties for non-compliance with BSL may include:
- Forfeiture of bonds
- Fines
- Criminal charges
- Confiscation or euthanasia of the dog

1.5 Evidence for the efficacy of breed specific legislation

The efficacy of breed specific legislation has been reported by formal peer-reviewed published journals and scientific proceedings, media reports, and other non-peer reviewed sources, including pro and anti-BSL activist websites.

The peer-reviewed data provides mixed views on the efficacy of BSL in its ability to reduce the incidence of people and other dogs that are seriously bitten by dogs. However, overall, the majority of evidence suggests that BSL is not effective.

Key studies

Ireland

The aim of this study was to examine the efficacy of the current breed specific legislation in Ireland by investigating all dog bite hospital admissions throughout Ireland since that legislation was introduced. In years 1998-2013, a total of 3164 human hospitalisations (admissions for dog bite) occurred in Ireland. Incidence of hospitalisations increased over this period ($P < 0.001$). The authors concluded that present BSL is not effective as a dog bite mitigation strategy in Ireland and may be contributing to a rise in hospitalisations.

Ó Súilleabháin, P.Ó. (2015). Human hospitalisations due to dog bites in Ireland (1998–2013): Implications for current breed specific legislation. The Veterinary Journal. 204. 357-359.

Spain

Dog bite-related incidents from Aragón (Spain) were analyzed from 1995 to 2004, with the aim of assessing the impact of the Spanish Dangerous Animals Act on the epidemiology of dog bites. Data from the non-legislated (1995 to 1999) and the legislated period (2000 to 2004) were compared in 2 different areas. According to the results, the legislation in force did not exert a significant effect on the incidence of dog bites. Furthermore, dogs on the dangerous breeds list were involved in a small proportion of the incidents both before and after the introduction of legislation.

Rosado, B., Garcia-Belenguer, S., Leon, M., Palacio, J. (2007). Spanish dangerous animals act: Effect on the epidemiology of dog bites. Journal of Veterinary behaviour Clinical Applications and Research. 2, 166-174

Italy

The study considered 662 clinical dog bites cases collected from behaviour veterinarians in Italy. The authors compared the number of bites in relation to numbers of individuals within the population of each breed. The results indicated that the breeds included in Italy's BSL were not over-represented in this data.

Cattarossi, D. & Martuzzi F. 2007. Cani Mordaci In Italia: Indagine Sulle le razze die apartenenza e considazioni sulla normativa vigente. Veterinaria, Anno 21, n. 2, Aprile 2007

The Netherlands

Data were collected from dog bite victims (1078) and dog owners (6139) using Internet surveys. Several breeds and breed groups were over- and under-represented in the biting population and there was a mismatch between risk indices and the then-current Dutch breed specific legislation. The authors concluded that dog bite mitigation strategies should not be based on attack records (since this would lead to the rejection of a significant proportion of the canine population) but on the circumstances of the incidents. And, that preventative measures should focus on a better understanding of how to handle dogs.

Cornelissen, J.M., and Hopster, H. (2010). Dog bites in The Netherlands: a study of victims, injuries, circumstances and aggressors to support evaluation of breed specific legislation. The Veterinary Journal. 186. 292-8.

Germany

Berlin's BSL was enacted in September 2004. This study analyzed dog bite data in incidents involving dog and human victims, in Berlin from 1998 to 2004.
• Of the total population of 107,804 dogs in Berlin in 2004, 0.9% were involved in bite incidents with humans.
• The authors concluded that it is more effective to support activities which include the training of abilities of the dog owners.

Kuhne, F., Struwe, R. (2006). Dangerous dogs in Berlin in comparison to the dog population – ways to reduce the dangerousness of dogs. Berl Munch Tierarztl Wochenschr. 119. 445-55.

Canada (Winnipeg)

Winnipeg, Manitoba introduced BSL by banning pit-bull type dogs in 1990. Differences in the incidence of dog-bite injury hospitalisations (DBIH) pre-BSL and post-BSL were compared from 1984-1990 and 1990-2006 in 16 urban and rural jurisdictions with pit-bull bans. At the provincial level, there was a significant reduction in DBIH rates from the pre-BSL to post-BSL period (3.47 to 2.84 per 100000 person-years) respectively.

However, the Ledger et al study reported the following with regards this same time period.

"While the number of people bitten by dogs in Winnipeg decreased following the introduction of a pit bull ban (310 bites in 1989, down to 166 bites in 2003) (3,4), the city simultaneously embarked on a $70 000 to $90 000 per annum education and advertising campaign to increase public awareness about dog bites and promote responsible dog ownership (personal communication, Tim Dack, City of Winnipeg). Consequently, it is difficult to determine the extent to which BSL contributed to the observed reduction in dog bites. Furthermore, as only 9% (28/310) of dog bites in 1989 were from "pit-bill terrier types," it is doubtful that more than 1/5th of this decline is attributable to BSL."

Ledger RA, Orihel JS, Clarke N, Murphy S, Sedlbauer M. (2005). Breed specific legislation: considerations for evaluating its effectiveness and recommandations for alternatives. The Canadian Veterinary Journal. 46(8):735-743.

Raghaven, M., Martens, P.J., Chateau, D., Burchill, C. (2013). Effectiveness of breed specific legislation in decreasing the incidence of dog-bite injury hospitalizations in people in the Canadian province of Manitoba. Injury Prevention. 19, 177-83

UK

This study examined the frequency and severity of dog-bite injuries at a Dundee hospital Accident and Emergency Department, before and after implementation of the Dangerous Dogs Act (DDA). In the 3-month period before the DDA was implemented, 99 cases of dog bites were reported, 3% of which were from pit bulls. When the number of dog bites were examined in a 3-month period 2 years after the ban was implemented, there was no change in the number of reported dog bites (99 cases), and the number of cases involving pit bulls was similar (5% of bites).

Klassen, B., Buckley, J.R., Esmail, A. (1996). Does the Dangerous Dogs Act protect against animal attacks: a prospective study of mammalian bites in the Accident and Emergency department. Injury. 27, 89-91

1.6 Summary of evidence for the effectiveness of BSL in reducing dog bites to humans and other animals

1. The data overwhelming suggest that BSL is ineffective at reducing the incidence of dog bites to humans.

2. Most studies report dog bite incidents to humans, not dogs. The effect that BSL has on the incidence of dog bites to other dogs is largely unstudied.

3. Most dog bite data is derived from hospital admissions and dog bite reports to Municipalities. Data regarding the incidence of un-reported bites and the breeds responsible for those bites is not reported.

4. The breeds that are targeted by BSL appear to make up a small proportion of all reported dog bites. Hence, the conceivable impact that BSL may have on the incidence of dog bites overall, will also likely be small.

5. While each study trends towards the same conclusions, there are nevertheless differences between studies regarding the breeds that are listed under their BSL, the nature of the BSL that is enacted, and the level of enforcement. This suggests that the conclusions that are drawn from these studies cannot necessarily be fully generalized to the City of Surrey.

1.7 Enforcement of BSL

Considering that there is a lack of peer-reviewed evidence to support the effectiveness of BSL, a discussion of the enforceability of BSL is possibly a moot point. However, considering there is still potential for Municipalities to consider implementing BSL regardless of the evidence, the following issues regarding the challenges associated with enacting BSL should also be taken into account.

1) Identifying which breeds are aggressive

Studies tend not to identify pit bull type dogs as being at an increased risk of biting people, compared with other breeds.

There are very few Canadian studies that identify which breeds BSL should target, based on their 'aggressiveness' and potential to cause serious injury. The following studies are of some relevance because they report how often certain breeds are reported as having bitten.

However, it is important to note that very few studies report the proportion of dogs that bite with a breed. As a result, some breeds may appear to be more dangerous, simply because they are more numerous in the population under examination. Unless the population size of each breed is also known, then it is not possible to determine whether some breeds are indeed more aggressive than others.

a) Fatal dog attacks in Canada

An electronic search of media reports in the Canadian Newsstand database, for the years 1990 to 2007, identified 28 fatalities from dog-bite injuries. Predominant factors in this case series were owned, known dogs; residential location; children's unsupervised access to area with dogs; and rural/remote areas, including aboriginal reserves in the prairies. A

higher proportion of sled dogs and, possibly, mixed-breed dogs in Canada than in the United States caused fatalities, as did multiple dogs rather than single dogs. Free-roaming dog packs, reported only from rural communities, caused most on-reserve fatalities.

Raghavan, M. (2008). Fatal dog attacks in Canada, 1990–2007. The Canadian Veterinary Journal, 49(6), 577–581.

b) Biting characteristics of Canadian dogs

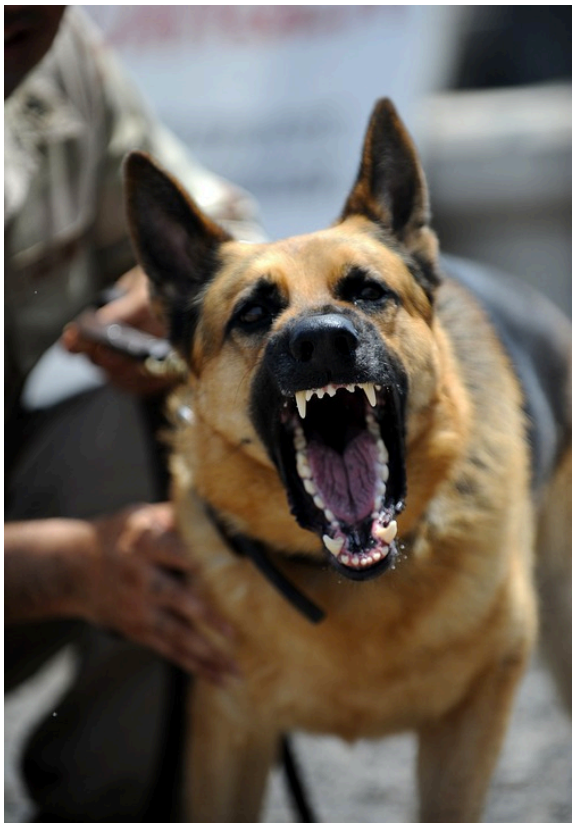
The characteristics of 227 biting dogs, their homes, and their victims were gathered in a detailed telephone survey of general veterinary clientele in the Canadian provinces of New Brunswick, Nova Scotia, and Prince Edward Island. All of the dogs had bitten either someone living in the same household, or someone who was a frequent visitor and was well known to the dog. There were 117 male and 110 female dogs included in this case series. Significantly more female dogs were neutered (P=0.03), 58% of the dogs were purebred, and the most commonly reported breed was the Labrador Retriever (n=15).

A case series of biting dogs: characteristics of the dogs, their behaviour, and their victims (2001). Guy, N.C et al. Applied Animal Behaviour Science , Volume 74 , Issue 1, 43 – 57

c) A Review of BSL in Canada

In 2003, Calgary reported that 0.84% of German shepherds and their crosses bit a human, compared with 1.14% of Rottweilers and their crosses, and 3.86% of pit bulls. When considering total aggressive incidents (bites, chase/ threats, damage to property, damage to other animals, human injury), 1.9% of German shepherd dogs and their crosses were involved, compared with 4.8% of rottweiler and their crosses, and 14.88% of the pit bulls.

Ledger RA, Orihel JS, Clarke N, Murphy S, Sedlbauer M. (2005). Breed specific legislation: considerations for evaluating its effectiveness and recommandations for alternatives. The Canadian Veterinary Journal. 46(8):735-743



d) The aggressiveness of pit bulls re-homed from Canadian rescues

This study followed 40 pit bulls and 42 similar-sized dogs of other breeds at an animal shelter. Three pit bulls and two dogs of other breeds were euthanized because of aggression toward people at the shelter, and the remaining 77 dogs were re-homed. Of these, one pit bull and ten dogs of other breeds were returned to the shelter because of alleged aggression. For the dogs that were retained for at least two months, owner reports of aggression in various situations (to strangers, to other dogs, etc) were similar for the two groups. Pit bull adopters were more likely to be under the age of 30, to rent (rather than own) their home, and to be adopting their first dog, perhaps because of a bias against pit bulls among older adopters. The study provided no evidence of greater aggression or poorer care among adopted pit bulls compared to dogs of other breeds.

A MacNeil-Allcock, NM Clarke, RA Ledger & D Fraser (2011). Aggression, behaviour, and animal care among pit bulls and other dogs adopted from an animal shelter. Animal Welfare, 20(4), 463-468.

2) Identification of restricted breeds

The Kennel Club (UK), the Canadian Kennel Club and the American Kennel Club provide breed standards for many but not all of the 46 breeds that have been listed within BSL.

Incomplete breed standards

'Pit bull-type breeds' are those most commonly discussed with regards to BSL in Canada. However, of these breeds, a Canadian breed standard exists for the Staffordshire bull terrier only. This makes the reliable identification of other 'pit bull breeds' potentially erroneous.

Differences in phenotype and genotype

Studies into the ability of animal professionals to identify pit bull dogs based on their appearance has further indicated that animal adoption agencies are not able to reliably identify restricted dog breeds based on their appearance.

For example, a US study compared how shelter workers identified the breed of 20 dogs, with the dogs' DNA identities. The results indicated that only 25% of the dog breeds identified by shelter workers were supported by the DNA analysis results.

According to the study authors, "the discrepancies between opinions of adoption agencies and identification by DNA analysis suggest that it would be worthwhile to re-evaluate the reliability of breed identification, as well as the justification of current public and private policies pertaining to specific dog breeds."

Voith V, Mitsouras K, Irizarry, K (2009). Comparison of Adoption Agency Breed Identification and DNA Identification of Dogs. Journal of Applied Animal Welfare Science. 12(3).

3) Unfair restriction of the 'false-positives'

The majority of dogs within any breed cannot be considered aggressive. Therefore, BSL would unfairly target many dogs for which restrictions are not necessary.

Concerns from owners of targeted breeds

Many owners of these 'false-positive dogs' have voiced their concerns regarding the welfare implications for themselves and their dogs, should BSL be implemented. These concerns include:

a) Should BSL prohibit the keeping of restricted breeds, then these dogs would likely be unnecessarily euthanized.

b) Should BSL require that restricted breeds could not be transferred to new owners, then these dogs would also likely be unnecessarily euthanized.

c) Should BSL require that restricted breeds be leashed and muzzled in public, then these restrictions may lead to the following welfare concerns:

• A lack of exercise and playtime with other dogs, should dogs be required to always be kept on leash.

• A lack of opportunities for oral-focused activities in muzzled dogs, such as chewing sticks, retrieving balls, playing with other dogs.

• The potential for physical injury to occur from wearing a muzzle for prolonged periods.

• The welfare implications are most substantial in the cases of dogs being deprived of off-leash play. In my experience, based on having worked with hundreds of dogs that require to be muzzled in public, the welfare impact of wearing a muzzle is less significant than these previously listed concerns, and can be tolerated by almost all dogs. This assumes that dogs are trained using humane techniques to wear humane basket-style muzzles.

Part (2)
2.1 Bylaw review and recommendations

The City of Surrey's Dog Responsibility By-law, 1999, No. 13880 By-law seeks "to regulate the keeping of dogs within the City and to provide for fixing, imposing and collecting license fees from and the issuance of licenses to a person who owns, possesses, or harbours a dog."

The Bylaw provides definitions of terms that are relevant to the responsible control of dogs, and requirements for the licensing and safe management of dogs. To follow are insights into how some of these terms and management requirements may be interpreted, and recommendations for amendments.

Definitions

"Dog"

"Dog" means an animal of the canine species, irrespective of sex or age.
Consider instead:
"Dog" means an animal of the canine species ***Canis familiaris***, irrespective of sex or age.

"Dangerous Dog"

"Dangerous Dog" means a dog which meets any one or more or the following conditions: (a) a dog that has attacked, bitten or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;
Consider instead:
"Dangerous Dog" means a dog which meets any one or more or the following conditions: (a) a dog that has **aggressively** attacked and caused **serious** injury to a person **without justifiable provocation,** or has demonstrated a propensity, tendency or disposition to do so, **as deemed by a qualified Animal Control Officer**;

(b) a dog that, while running at large, has attacked, bitten, killed or caused injury to a domestic animal;
Consider instead:
(b) a dog that, while running at large, has **aggressively** attacked and caused **serious** injury to a domestic animal **without justifiable provocation**, or has demonstrated a propensity, tendency or disposition to do so, **as deemed by a qualified Animal Control Officer**;

(c) a dog that, while running at large, has aggressively pursued or harassed a

person;
Consider instead:
(c) a dog that, while running at large, has **aggressively** pursued or harassed a person **without justifiable provocation, or has demonstrated a propensity, tendency or disposition to do so, as deemed by a qualified Animal Control Officer;**

(d) a dog that, while running at large, has aggressively pursued or harassed a domestic animal;
Consider instead:
(d) a dog that, while running at large, has aggre**ssively pursued or harassed a domestic animal without justifiable provocation, or has demonstrated a propensity, tendency or disposition to do so, as deemed by a qualified Animal Control Officer;**

(e) a dog with a known propensity to attack or injure a person without provocation;
Consider instead:
(e) a dog with a known propensity to attack or aggressively injure a person without provocation, as deemed by a qualified Animal Control Officer;

(f) a potentially dangerous dog:
Consider instead:
(f) **deleting this.**

(i) that has been impounded 3 times within the previous 24 months;
Consider instead:
(i) **deleting this**.

(ii) for which the owner has received a municipal ticket for running at large 3 times within the previous 24 months; or -

Consider instead:
(ii) **deleting this**.

(iii) for which the total number of impounds and tickets totals 3 within the previous 24 months.
Consider instead:
(iii) **deleting this**.

"Enclosure"

"Enclosure" means a fence or structure of at least 6 feet in height and 4 feet in width, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a dangerous dog in conjunction with other measures which may be taken by the owner or keeper, such as tethering of the dangerous dog. The enclosure must be securely enclosed and locked and designed with secure sides, top and bottom and must be designed to prevent the animal from escaping from the enclosure.

Consider instead:
"Enclosure" means a fence or structure of at least 6 feet in height and **6 feet** in width, forming or causing an enclosure suitable to prevent the entry of any persons other than the owner and those **adults** authorized by the owner, and suitable to confine a dangerous dog in conjunction with other measures which may be taken by the owner or keeper. **Delete reference to tethering**. The enclosure must be securely enclosed and locked and designed with secure sides, top and bottom and must be designed to prevent the animal from escaping from the enclosure.

The enclosure should provide physical conditions that are necessary in order

to ensure that the thermal, auditory, visual, olfactory, physical and emotional welfare of the animal is good. Clean drinking water and suitable enrichment devices should be supplied at all times. The dog should not be exposed to direct sunlight, wind or precipitation. The dog should be removed from the enclosure and exercised as needed for elimination. Feces and urine should be cleaned within 2 hours. The dog should not be left in the enclosure for more than 3 hours without being removed for at least 1 hour, and for no more than 6 hours in any 24 hour period.

"Impounded"

"Impounded" means seized, delivered, received, or taken into the Pound, or in the custody of the Poundkeeper, as provided in this By-law or in Surrey Pound By-law, 1958, No. 1669, as amended.

"Leash"

"Leash" means a rope, chain, cord, leather strip or other device attached to the collar of a dog capable of controlling and restraining the activity of the dog in a manner which conforms to requirements of this By-law.

Consider instead:
"Leash" means a rope, chain, cord, leather strip or other device **no longer than 2.5m**, attached to the collar **or harness** of a dog, capable of controlling and restraining the activity of the dog in a manner which conforms to requirements of this By-law.

"License Inspector"

"License Inspector" means the City Solicitor, or designate, who is authorized to enforce the provisions of this By-law.

"Owner"

"Owner" includes a person owning, possessing, harbouring or having charge of a dog or permitting a dog to remain about the person's house or premises and, where the owner is a minor, the person responsible for the custody of the minor.

Consider instead:
"Owner" includes an **adult person** owning, possessing, harbouring or having charge of a dog or permitting a dog to remain about the person's house or premises. **Delete reference to minors.**

"Potentially Dangerous Dog"

"Potentially Dangerous Dog" means a dog regardless of age, sex or breed, which is running at large.

Consider instead:
"Potentially Dangerous Dog" means a dog regardless of age, sex or breed, which is running at large **and behaving aggressively towards people or domestic animals**.

"Poundkeeper"

"Poundkeeper" means the person appointed from time to time by Council for the purpose of enforcing and carrying out the provisions of Surrey Pound By-law, 1958, No. 1669, as amended, and

includes an assistant poundkeeper or a person appointed by the Council to carry out the provisions of this By-law.

"Pound"

"Pound" means a building or enclosure established as a pound by the Council.

"Run at Large"

"Run at Large" with reference to a dog means:
(a) a dog located elsewhere than on the premises of the person owning or having the custody, care or control of the dog that is not under the immediate charge and control of a responsible and competent person;
(b) a dog located upon a highway or other public place, including a school ground, park or public beach, that is not secured on a leash to a responsible and competent person; or
(c) a dangerous dog that is on the premises of the owner that is not contained in an enclosure or securely confined within a dwelling; and "running at large" has a corresponding meaning.
A dog without a leash located in a designated "off leash" area within a park is not "running at large" for the purposes of this By-law provided that the dog is otherwise under the immediate charge and control of a responsible and competent person.

Consider instead:
"Run at Large" with reference to a dog means:
(a) a dog located elsewhere than on the premises of the person owning or having the custody, care or control of the dog that is not under the immediate charge and control of a responsible and competent person;
(b) a dog located upon a highway or other public place, including a school ground, park or public beach, that is not secured on a leash to a responsible and competent person; or
(c) **a dangerous dog that is on the premises of the owner that is not contained in an enclosure or securely confined within a dwelling; and "running at large" has a corresponding meaning. Needs to be discussed and clarified.**
A dog without a leash located in a designated "off leash" area within a park is not "running at large" for the purposes of this By-law provided that the dog is otherwise under the immediate charge and control of a responsible and competent person, **and within 100m of this person.**

"Unlicensed dog"

"Unlicensed dog" means a dog for which the license for the current year has not been paid, or to which the tag required by this By-law is not attached.

Consider instead:
"Unlicensed dog" means a **resident** dog for which the **City of Surrey** license for the current year has not been paid, or to which the tag required by this By-law is not attached.

Part (3)
Best practices and other feedback

The City of Surrey is concerned regarding the incidence of serious and non-serious dog bite attacks on people and other animals. In order to reduce the incidence of such cases beyond what is achieved under current legislation and enforcement, the following practices may be considered.

Background on aggression

Aggression is a normal, functional behaviour that all dogs are capable of displaying. However, individual dogs vary in terms of their propensity to display aggressive behaviour.

Aggressive behaviour in dogs is primarily characterized by growling, lunging, snapping and biting behaviour. Aggressive behaviour can occur out of personal defense (such as when the dog feels threatened and afraid), the protection of other individuals that the dog feels a sense to protect (such as family members, a bitch's own puppies), or in the protection of the dog's resources (for example, food, toys, sleeping area, territory).

Dogs with a predisposition for aggressive behaviour may be diagnosed with a specific behavioural disorder by a veterinarian who specializes in behaviour, or a qualified clinical companion animal behaviourist working with a veterinarian.

Genetics

Anxiety, fearfulness, reactivity, assertiveness, impulsivity and predatory traits have neurological foundations that are partly heritable in dogs.

As such, anxious, fearful, reactive, assertive, impulsive and predatory dogs are likely to have offspring that share similar temperament characteristics.

These temperament traits can be significant factors in a dog's predisposition to display aggressive behaviour toward humans and other animals.

Maternal stress

The degree of stress versus comfort that bitches experience during their gestation can have significant effects on the behaviour of their offspring.

The poor emotional health and social deprivation that breeding bitches experience in puppy-mill type situations is thought to be a significant factor in the poor emotional health and behaviour of dogs that are bred by puppy mills.

Socialization

Inadequate or inappropriate socialization of puppies during the sensitive period (5-12 weeks of age) can lead to these individuals becoming anxious, fearful, impulsive and subsequently aggressive, as adults.

Other factors

Personality traits can vary over time, depending on various factors. As such, an increase in a dog's predisposition to display aggressive behaviour can occur at any age under specific prevailing conditions:

- Poor maternal rearing style
- Exposure to punishment based training techniques
- Experience to singular or multiple traumatizing events at any age
- Age (natural changes in behavioural development from puppy to senior years)
- Seasonal changes
- A lack of appropriate physical exercise and mental stimulation
- Pain
- Injury
- Disease
- Diet
- Toxicity
- Medications

3.1 Considering the level of provocation in dog bites

In most cases, aggression is a behavioural response to a stimulus that the dog perceives to be threatening.

Aggression functions in its early stages to warn threats to back off (staring, tensing, growling, snarling, raised hackles).

When threats do not back off, or when they are unavoidable, a dog may lunge and bite at the source of the threat.

Some aggressive actions are considered 'justified', that is the dogs aggressive response is considered appropriate or proportionate to the degree to which it felt threatened,

Conversely, at other times, aggressive behaviour is considered excessive and disproportionate to the level of provocation.

This concept of provocation should be considered as part of any updates to the City of Surrey's existing Animal Control legislation.

3.2 Rehabilitation and the possibility of a retraction of a ‘dangerous dog’ designation

Aggressive behaviour in dogs can often be addressed through the treatment of underlying medical disorders, diet, socialization and the implementation of positive-based rehabilitation programs.

Currently, ‘dangerous dog’ designations are considered life-long, without any possibility of a retraction of the designation without going through appeal process in Court. These appeal processes are costly for the City and for the owner of the dog who pursues such a case. As such, a process by which a dangerous dog designation can be retracted without the need for Court intervention could be advantageous.

In order for dangerous dogs to qualify for a ‘pardon’, the following would need to be demonstrated:

a) A behavioural diagnosis, made by a veterinarian or qualified clinical companion animal behaviourist working with a veterinarian.

b) A treatment plan, developed by a veterinarian or qualified clinical companion animal behaviourist working with a veterinarian.

c) Evidence of the dog owner’s full compliance with the treatment plan.

d) Evidence that the dog has successfully completed the treatment plan, and that the behavioural diagnosis no longer applies.

e) Annual re-assessments of the dog by a veterinarian or qualified clinical companion animal behaviourist working with a veterinarian.

f) Liability insurance and bond in place for the lifetime of the dog.

3.3 Restrictions on the importation of aggressive dogs into the City of Surrey

Many individuals in British Columbia adopt their dogs from other countries. A growing number of rescue organizations now specialize in the importation of rescue dogs from shelters in the US, Mexico, Asia, India, and Eastern Europe.

Reports from many animal professionals in BC indicate that some of these imported dogs behave aggressively towards people and other animals, and that the owners of these dogs were not made aware of this aggressive predisposition at the time of adoption.

It is speculated that:

• These dogs may have a higher than average predisposition for aggressive behaviour, due to being poorly socialized, health and genetic factors;

• These dogs are inadequately screened for aggression problems prior to importation;

• There is a lack of disclosure to new owners of these imported dogs;

• Aggressive dogs are placed into incompatible homes, where the risk of a dog behaving aggressively is high (e.g. inexperienced homes, presence of children, lack of access to necessary training and rehabilitation).

As such, restrictions on the importation of these high-risk aggressive dogs into high-risk homes may be necessary. This could be achieved by:

• Development of regulations governing rescue groups that import dogs into BC.

• Licensing of rescue groups that import dogs into BC.

• Evidence of the evidence-based behavioural assessment of imported dogs prior to entering BC.

• Evidence that new owners of imported dogs have full disclosure and support to manage the behavioural problems in these dogs.

• To ensure that new owners of imported dogs agree to managing their dogs in a manner

3.4 Restrictions on the ownership of dogs by irresponsible individuals

Currently, enforcement of dangerous dog legislation occurs once an aggressive dog has bitten and then reported to Animal Control.

While the restrictions then applied are generally successful in preventing the same dog from biting again (pers. comm. Kim Morosevich), nevertheless, this is a reactionary approach to dealing with aggressive dogs.

Something that makes BSL appealing to many people is its proactive stance to reducing dog bites. While BSL does not appear to be effective in reducing the incidence of dog bites, other proactive measures may be beneficial.

Hundreds of aggressive dogs are successfully managed by responsible owners, even in the absence of a 'dangerous dog' designation.

Likewise, many aggressive dogs are irresponsibly managed by their owners, and as such, these dogs go on to bite and cause serious injury or even death to people and other animals in our community. The likelihood of serious injury or death from a dog bite is most likely in cases where the dog is large and powerful, so called 'powerful breeds'.

There are two key ways in which the role of irresponsible owners in dog bite incidents can be managed:

a) To restrict ownership of 'powerful breeds' by those owners who are deemed 'irresponsible dog owners'. These may include owners who have possessed 'dangerous dogs' previously, or those whose dogs have caused serious injury to a person or other animal.

b) To require education and licensing of all owners of 'powerful breeds.'

3.5 Education

There is a wealth of peer-reviewed evidence to show that education is successful in reducing the incidence of dog bites.

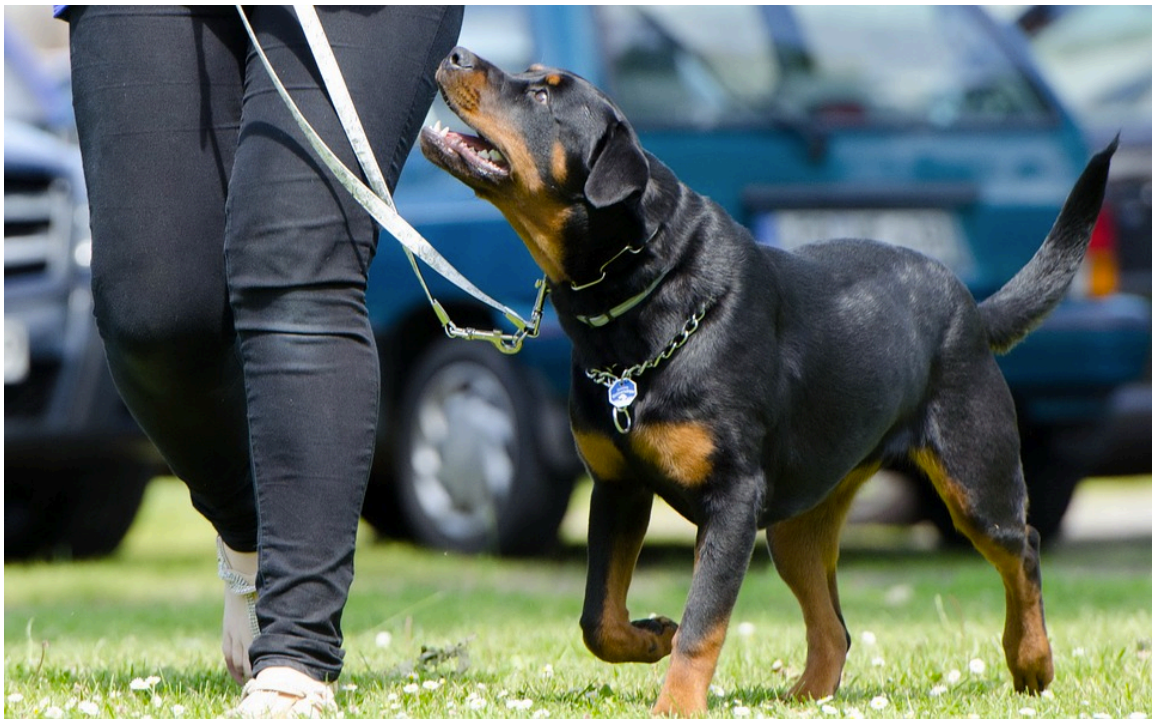
Educational resources (training, booklets, webinars, talks & seminars etc), that teach how to interact safely with dogs, how to manage aggressive dogs and how to select a pet dog that an owner can safely manage, should be developed for all community members.

Examples include:

• *Dog behaviour training for Animal Control Officers and support staff (assessment and management of behavioural problems, in dogs)*

• *Behaviour training for dog owners (the selection, socialization, training and management of behavioural problems, in dogs)*

• *Development of am evidence-based 'Code of Conduct' for dogs in off-leash areas.*



3.6 Data collection

The variability of dog bite statistics, dog demographics and BSL effectiveness data across Canada and beyond, highlights the unique, prevailing factors that can exist from one City to the next. As such, in order for the City of Surrey to fully understand the risk factors for dog bite in their Municipality, and for the success of various dog bite reduction programs to be evaluated, some basic data should be routinely collected.

Dog population demographics

What is the profile of dogs living in the City of Surrey?
• Breed • Age • Sex • Neuter status • Breeder • Age of acquisition • Diet • Training • Health • Vaccination history • Exercise • Lifestyle

Dog bite demographics

What is the profile of dangerous dogs living in the City of Surrey?
• Breed • Age • Sex • Neuter status • Breeder • Age of acquisition • Diet • Training • Health • Vaccination history

Why do these dogs bite?
- Circumstances of the attack
- Seriousness of injury
- Level of provocation
- Previous history of aggression
- Other traits of this dog

Dog owner population demographics

What is the profile of dog owners living in the City of Surrey?
Income• • Age • Sex • Marital status • Experience of dog ownership • Experience of owning dangerous dogs • Other pets present at home • Lifestyle • Occupation • Home type

Dangerous dog owner demographics

What is the profile of dog owners living in the City of Surrey?
Income • Age • Sex • Marital status • Experience of dog ownership • Experience of owning dangerous dogs • Other pets present at home • Lifestyle • Occupation • Home type

Other risk factors

Proximity to off-leash areas• Availability of dog trainers • Knowledge level of veterinarian • Pet Insurance, etc.

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Model Animal Responsibility Bylaw

The Foundation of a Safe, Humane Community

BCSPCA

SPEAKING FOR ANIMALS

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Contents

Executive Summary

Public health and safety are key concerns for every municipality and the prominence of recent incidents involving cat overpopulation, dangerous dogs and exotic animals has created expectations for regulators to proactively address these issues. The BC SPCA has dedicated its expertise as British Columbia's oldest and Canada's largest animal welfare organization to designing this package of model bylaws that will help municipalities address the root causes of animal-related issues in their communities. BC SPCA staff and volunteers with expertise in animal control, animal behaviour and welfare, wildlife management, and the legal system collaborated on the production of these model bylaws. This package contains model bylaws on:

- Animal Control, including provisions on dangerous dogs, exotic animals, animal licensing and identification, and basic standards of animal care.
- Business Licensing, including licensing standards for dog kennels, catteries, and pet stores.
- Spay/Neuter, in order to address aggression in male dogs and reduce pet overpopulation.

The BC SPCA

The British Columbia Society for the Prevention of Cruelty to Animals (BC SPCA) has been protecting animals and advocating on their behalf for 113 years. Through its 37 branches, three veterinary hospitals, one wildlife rehabilitation centre and its provincial office in Vancouver, the BC SPCA provides a wide range of services for over 45,000 animals in distress and need around the province.

The BC SPCA was created under the auspices of the provincial Prevention of Cruelty to Animals Act, and is the only animal welfare organization in BC which has the authority to enforce laws relating to animal cruelty and to prepare cases for Crown Counsel for the prosecution of individuals who inflict suffering on animals.

As the largest animal welfare organization in Canada, the BC SPCA has earned respect for its evidence-based approach to providing services that enhance the quality of life of animals, their owners, and the communities they live in.

This places the BC SPCA in a unique position to provide expertise, knowledge, and recommendations to local government on the effective management of all animals within the community. BC SPCA animal specialists are available to provide expert advice on a variety of community animal management topics, including:

- dangerous dogs
- animal control and pound operation
- exotic animals
- pet overpopulation
- animal licensing and identification
- urban wildlife management

Introduction

The keeping of companion animals creates challenges and opportunities for those who are responsible for the care and control of these animals, as well as for other members of the community. Management of companion animals in a municipality is important for public health and safety, but also for the welfare of the animals themselves.

Bylaws should form the foundation of effective community animal management by enabling regulatory control of certain activities, and by facilitating programming that encourages responsible companion animal ownership.

A review of existing bylaws in British Columbia's 43 largest municipalities conducted by the BC SPCA in 2015 (see Appendix A for the full review) indicated that most BC municipalities are lacking adequate bylaws for the regulation of:

- Dangerous dogs
- Identification of companion animals
- Ownership, sale, and exhibition of exotic or wild animals
- Basic requirements for animal care
- Companion animal population control
- Licensing of kennels, catteries, and pet stores.

Some municipalities can be commended for introducing enhanced bylaws that go further than the rudimentary animal control bylaws generally relied on. These are summarized below.

Animal Control and Identification

Out of 162 municipalities and 27 regional districts:

- 76 municipalities and 3 regional districts require the confinement of female dogs in heat.
- 24 municipalities require permanent identification, registration or licensing of cats.
- 13 municipalities place restrictions on the ownership of unsterilized cats.

Basic Standards of Care and Housing:

Out of 162 municipalities and 27 regional districts:

- 61 municipalities and 3 regional districts require animals are provided with basic standards of care such as food, water, and veterinary care.
- 50 municipalities and 2 regional districts require that animals kept outdoors are provided with adequate shelter.
- 43 municipalities and 1 regional district prohibit inadequate or dangerous tethering.
- 29 municipalities and 2 regional districts limit length of time or prohibit tethering.
- 43 municipalities and 2 regional districts require adequate ventilation, for animals, particularly in cars.
- 32 municipalities and 2 regional districts require adequate attachment for the transportation of animals, particularly in the rear of trucks.

Kennel Facilities:

Out of 162 municipalities and 27 regional districts:

- 83 municipalities and 5 regional districts allow for the licensing of dog kennel establishments within their animal control bylaw or dog kennel bylaw.
- 58 municipalities and 6 regional districts have dog kennel care guidelines outlined within their animal control bylaw or dog kennel bylaw.
- 22 municipalities have cat breeder or cattery licensing outlined within their animal control bylaw

Exotic/Wild Animals and Animal Performances

- 17 municipalities ban the sale of certain wild or exotic species
- 34 municipalities ban the ownership of certain wild or exotic species
- 30 municipalities place restrictions on exhibitions involving wild or exotic species
- 19 municipalities are entirely without any bylaws that restrict either animal performances or the sale or ownership of certain wild or exotic species.

This package contains a set of model bylaws derived mainly from existing bylaws that are proving effective in protecting public safety and ensuring animal welfare in other jurisdictions. These bylaws focus on the root causes of animal aggression, which are strongly linked to the factors that may compromise the well-being of animals in a community.

The BC SPCA strongly encourages all municipalities in BC to consider adopting these model bylaws as part of the comprehensive approach needed to address companion animal issues in any community.

The BC SPCA is also available to provided limited free consulting services to local government where additional assistance may be required. If desired, the BC SPCA can provide in-depth analysis and consulting on a fee for service basis.

Dangerous Dogs

Dog aggression towards people and other animals is a serious threat to public safety. This issue must be addressed if we are to create humane communities where humans and dogs co-exist and enrich each other's lives.

By implementing the bylaws included in this package, municipalities can proactively address many of the predisposing factors to canine aggression problems in a community, including:

Remediation and sterilization of dangerous dogs: Dogs that have acted aggressively, regardless of breed, should be neutered and provided with behavioural remediation by certified dog behaviour specialists.

Standards of housing and care: Dogs are more likely to become dangerous if they live with guardians who do not provide them with proper training, socialization, medical care and adequate living conditions. Dogs that are suffering from unresolved health problems may be experiencing pain, discomfort, and stress causing them to act aggressively.

Oversight of dog breeders: Dog breeders have a large influence on the temperament of dogs in our community as they choose which animals will have offspring and are responsible for the early experience and socialization of puppies.

Fearful and aggressive dogs are more likely to have aggressive offspring than other dogs, regardless of the breed. Dogs are also more likely to be aggressive if they are raised by breeders who do not provide them with proper socialization or who sell them without proper matching or education.

Spay/Neuter: Unneutered males are involved in 70-76% of dog bite incidents. Unspayed females encourage roaming and aggressive behaviour in males, regardless of breed.

Successful models for managing canine aggression exist in other countries. They focus on legislation, education and the development of resources that facilitate the remediation of aggressive dogs.

The BC SPCA proposes that the most effective approach to dealing with the issue of inappropriate canine aggression in our communities is to develop a coordinated strategy based on the models as described in this package. Strategies should include:

1. Animal control bylaws that promote spaying and neutering, make pet identification mandatory, restrict the keeping of unsocialized backyard dogs and place the burden of responsibility for an animal's actions on the guardian, not the dog;
2. Creation of tougher laws to address animal neglect, which contributes to canine aggression;
3. Development of effective licensing schemes that regulate breeding facilities and pet stores, as these components of the animal sector play a critical role in the early socialization of pets;
4. Registration of aggressive dogs through reporting by veterinarians, groomers, police, postal carriers, animal control officers, meter readers, and humane organizations;
5. Creation of a centralized, accessible database for the recording of dog bite incidents;
6. Mandatory remediation of dangerous dogs by certified specialists;
7. Commitment to education on responsible pet guardianship, canine behaviour and dog bite prevention;
8. Development of resources for guardians of dogs with aggression problems, including the certification of specialists who can provide remedial measures for canine aggression.

Breed Specific Restrictions is Not a Solution

The BC SPCA opposes breed specific restrictions, as commanding evidence demonstrates that it does not adequately address the problem of dog aggression in a community[1,2].

Rather, the most effective way to address public safety concerns is for government, animal welfare organizations and other stakeholders to work together on multi-faceted strategies that identify and address the sources of dangerous dogs of all breeds.

The BC SPCA strongly recommends against breed banning for the following reasons:

1. Breed specific restrictions ignores the fact that aggressive behaviour can occur in any breed and therefore does not protect the public. In fact, the type of dog most commonly banned, the pit-bull terrier, is responsible for an extremely small proportion of reported bites, as indicated by numerous studies[1,3], and in contrast to the perception resulting from the media's undue emphasis on publicity of pitbull bites.
2. Breed specific restrictions do nothing to discourage irresponsible behaviour by people who breed, train, sell or possess dangerous dogs that are not named under the breed ban.
3. There are no efficient methods to determine a dog's breed in a way that can withstand legal challenge. Any breed ban bylaw inevitably results in the creation of subjective and arbitrary factors to determine breed.
4. In order to avoid breed specific restrictions, people who want aggressive dogs simply switch to other breeds or select cross-breeds that are difficult to classify. Some jurisdictions have now banned upwards of 30 breeds in order to follow these trends, placing great burdens on enforcement.
5. It is impossible to reliably estimate the number of dogs of a particular breed at any given time, making budgeting for the enforcement of breed legislation nearly impossible.
6. Breed specific restrictions treads upon the rights of responsible dog guardians who cherish a non-aggressive pet whose breed may fall under the legislation.

Licensing and Identification

Licensing and identification are the two cornerstones of an effective animal control system. No animal control system can be effective without the introduction of such schemes for all companion animals within a municipality. The Companion Animal Welfare Council[6] provides the following guidance on the benefits of permanent identification for companion animals:

> Identification of animals has been demonstrated to be important for the control of animal movement associated with disease control, prevention of theft, and the identification and recovery of strays, lost and stolen animals.
>
> This increase in efficiency in the tracking of animals, animal disease and the return of lost animals decreases costs to society and improves the welfare of both animal and guardian.
>
> Over the last few decades there has been an increase in the ownership, movement and variety of companion animals, both within the UK and across international borders. This poses a potential for increased risks for intra- and inter-specific disease, irresponsible ownership, and accidental loss of companion animals.
>
> There was a consensus of opinion from the evidence that Companion Animal Identification had benefits for the animal, the owner and society at large. These benefits included:
>
> - Reuniting pets and owners.
> - Reduction in the numbers of animals euthanized due to not being claimed by owners who cannot trace them.
> - Reduction of stress to the individual animal that may be misplaced.
> - Reduction of stress to the individual owner whose animal may be displaced
> - Tracing owners of animals that have been injured or killed.
> - Reducing costs to local authorities and animal welfare organizations of holding stray animals.
> - Increases responsible ownership, such as control of the animal and its behaviour.
> - Detection of fraudulent activities such as misappropriation or misrepresentation.
> - Tracing and prediction of disease patterns.

It has also been documented that municipal animal control agencies that use microchip scanners euthanize half as many animals as those that do not (euthanasia rates of 11% and 25%, respectively)[7]. The use of registration or licensing has also served to increase the value of cats in the community and reunite more cats with their guardians.

The BC SPCA's experience from more than 100 years of animal control and sheltering indicates that these results are fully applicable in BC.

Cat Licensing

The BC SPCA cares for over 20,000 cats each year, approximately half of which come to us as strays. While nearly every municipality in BC requires that dogs be licensed, very few have instituted cat licensing. For cat welfare to be improved in any community, regulatory and educational initiatives are needed. While cat licensing alone may not solve cat welfare and control issues, it can be a significant component of any community's efforts to address them.

Where it is has been adopted, in municipalities as close as Calgary, cat licensing has demonstrated a number of benefits for cats and people. Among the benefits documented to date are:

- Higher return-to-owner rates, resulting in lower rehoming and or euthanasia rates for cats.
- Reduction of cat overpopulation by offering monetary incentives for spay/neuter through differential licence fees.
- Wide support from the general public for animal control services funded by animal guardians, rather than taxpayers.

Greater control of cats may have further benefits to public health and the environment. Cats can carry cryptosporidia and 30 other zoonoses (diseases borne by animals that can infect humans). Wild birds also suffer from uncontrolled cats — cat attacks are a leading cause for bird admittance to BC wildlife rehabilitation centres. After habitat loss, cats are believed to be the top source of mortality to native populations of birds and small mammals in Canada.

Licensing also represents a municipality's best opportunity to raise revenue for animal control services and associated programming, such as spay/neuter funds (outlined on p. 25).

Certain challenges exist with cat licensing, primarily due to the many differences between cats and dogs. Guardians who house their cats exclusively indoors need to provide behavioural enrichment to ensure their cats remain active and psychologically stimulated. Despite these challenges, and in consideration of the fact that no licensing system can achieve 100% compliance, cat licensing may afford considerable benefits.

Basic Standards of Animal Care

Animals that are poorly cared for can become serious risks to community health and safety. Animals housed in unsanitary conditions are common sources of zoonotic disease, and animals raised in inadequate environments without socialization (e.g. confined in crates or tethered in back-yards) are at risk of developing aggressive temperaments.

Dogs are social animals who crave and thrive on companionship and interaction with people and other animals. Left for hours, days, or months on a chain, dogs suffer immense psychological damage. They can become aggressive, anxious and neurotic and feel naturally defensive due to their confinement.

Peer-reviewed studies have shown that dogs increase their aggression towards other dogs when tethered[4] and that a significant proportion of fatal dog attacks (17%) are from dogs restrained on their own property[5].

Bylaws that require basic standards of animal care allow animal control officers to be proactive and address these issues of concern before an incident occurs. Fourteen of BC's 25 largest municipalities have already instituted bylaws that require some basic standards of animal care.

The BC SPCA encourages the adoption of such bylaws, which can be used to complement the provisions on animal care contained in the BC Prevention of Cruelty to Animals Act.

Exotic Animals

The legal trafficking of exotic animals (non-native wild animals, whether live-captured or captive-bred) is a global industry worth billions of dollars annually. Exotic/wild animals are captured and taken far from their natural wild habitats or are bred specifically for sale to pet owners in countries around the world, including Canada.

The introduction of exotic animals into urban communities raises a number of serious public health, public safety and animal welfare concerns. Exotic/wild animals should not be kept at pets for a variety of well-documented reasons:

Risks to Public Safety:

1. Exotic animals can present special risks to humans and other animals if not handled properly due to exotic pathogens. For example, Centers for Disease Control statistics show over 74,000 cases of salmonella poisoning from reptiles and amphibians in the United States each year, many of which are from animals kept as pets[8].
2. Exotics still retain their natural predatory and defensive instincts, making them dangerous or unsuitable to living in an environment with other animals and humans. Even in play, many exotics can unwittingly harm another animal or human.

Risks to the Environment:

1. Escaped or released exotics may breed with local species, diluting the gene pool and introducing exotic diseases. For example, in 2003, a shipment of Gambian rats from Africa escaped and introduced the potentially fatal disease Monkeypox into North America.
2. Escaped or released exotics can disturb natural indigenous ecologies. The devastating effects of releasing exotic catfish, toads, red-eared slider turtles, bullfrogs, and other species into local environments, for example, have been well documented.
3. Many wild-caught exotics are captured through partial or whole destruction of their environment.

Risks to Animal Welfare:

1. Exotics are often acquired as "status" pets, without due consideration being given to their specialized needs.

2. Exotics have food/housing/maintenance needs that cannot be provided by the average guardian. Few exotic guardians recognize the specialized needs of exotics or can provide the full Five Freedoms* for their exotic pets.
3. Many new exotic "fad" pets are introduced into the pet trade each year that are not domesticated animals but wild caught or captive bred and suffer from confinement or improper care.
4. Relatively few veterinarians possess the training/ experience to address the medical needs of exotics.
5. Exotic pet guardians often attempt to change the nature of their companion animal by surgically removing teeth/claws, leaving the animals potentially stressed and defenseless.
6. Exotics have specialized behaviours some of which their new guardians try to forcibly alter, with devastating effects on the animals' well being. Many nocturnal exotics, for example, are forced to adapt to the diurnal lives of their human keepers.
7. Many exotics become unwanted a few months after the novelty of the pet wears off. Few resources exist to take in these unwanted pets as most zoos, animal shelters, and wildlife sanctuaries do not have the capacity to take in unwanted exotic pets. The result is poor animal welfare, a high rate of euthanasia, and widespread abandonment of these animals.

* The Five Freedoms is a concept first developed in 1965 by The Brambell Committee, formed by the UK government to examine the conditions on commercial farms. Now internationally recognized, the Five Freedoms are considered applicable to all animals. The BC SPCA's Five Freedoms (adapted from the original list) are:

1. Freedom from hunger and thirst;
2. Freedom from pain, injury and disease;
3. Freedom from distress;
4. Freedom from discomfort;
5. Freedom to express behaviours that promote well-being.

The BC SPCA's Five Freedoms form the basis of the Society's Charter and describe conditions that must be fulfilled in order to prevent the suffering of all animals in human care.

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[6] Report on the Identification and Registration of Companion Animals. 2002. Companion Animal Welfare Council. Available at: www.cawc.org.uk/documents/CAWCRepID%26Registration02final.pdf

[7] Independent market research conducted by Market & Opinion Research International Ltd (MORI) on behalf of the Dogs Trust, 2000.

[8] United States Centers for Disease Control. 2005. Salmonellosis Associated with Pet Turtles --- Wisconsin and Wyoming, 2004. Accessed at http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5409a3.htm on November 14, 2008.

Animal Control Bylaw

Municipality Name

BYLAW NO. _____

A BYLAW TO REGULATE THE KEEPING OF DOGS, CATS, and OTHER DOMESTIC ANIMALS IN MUNICIPALITY NAME

NOW THEREFORE the Council of _____ in open meeting assembled enacts as follows:

Title

1. This Bylaw may be cited for all purposes as "Animal Control Bylaw, No. _____".

Interpretation [1,2,3,4,5,6,10]

2. In this Bylaw:

"Animal" means any member of the Kingdom Animalia excluding humans;

"Animal Control Officer" means any person appointed by council as an animal control officer or bylaw enforcement officer, and includes a peace officer and the Animal Shelter Manager;

"Animal Shelter Manager" means any person appointed by the Municipality as the Animal Shelter Manager or any contractor who has entered into an agreement with the Municipality to assume the responsibilities of the Animal Shelter Manager pursuant to this Bylaw, and includes the delegates of this person;

"At Large" means an animal in or upon a public place or in or upon the lands or premises of any person other than the owner of the animal without the express or implied consent of that person;

"Companion Animal" means an animal kept for companionship to a person rather than utility, profit or burden and which is lawfully kept upon residential property;

"Choke Collar" means a slip collar or chain that may constrict around the animal's neck as a result of pulling on one end of the collar or chain, and includes Pinch or Prong collars but does not include a Martingale collar;

"Council" means the municipal council of _____;

"Dangerous Dog" means a 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;

"Enclosure" means a structure forming a pen suitable to confine a dog;

"Guard Dog" means a dog that is specifically trained for or used primarily for the purposes of guarding property, including residential, commercial and industrial property;

"License Year" means the period from January 1 to December 31 in any year;

"Municipality" means the municipality of _____;

"Owner" means any person

(a) to whom a licence for a dog or cat has been issued pursuant to this Bylaw;

(b) to whom a breeders' licence for a dog or cat has been issued pursuant to this Bylaw; or

(c) who owns, is in possession of, or has the care and control of any animal;

"Permanent Identification" means identification for an animal in the form of a traceable tattoo or a microchip that contains the contact information of the Owner;

"Police Services Dog" means any dog owned by the Royal Canadian Mounted Police or any municipal police department while on duty, including while engaged in training exercises and under the supervision of a member of the Royal Canadian Mounted Police or any municipal police department.

"Public Place" includes any highway and any real property owned, held, operated or administered by the Municipality or Province;

"Responsible Person" or "Person Responsible" means, in relation to any animal, a person who

(a) is the Owner of any animal; or

(b) is keeping, harbouring, or sheltering any animal;

provided that, where the animal is under the care, custody, or control of a person under the age of nineteen (19) years or is being kept or harboured by a person, under the age of nineteen (19) years, the custodial parent or legal guardian of such child will be deemed, for the purpose of this bylaw, to be the Responsible Person;

"Seize" includes impound and detain;

"Spay/neuter" means the sterilization of a female animal by removing the ovaries or of a male animal by removing the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association.

"Special Needs Assistance Animal" means

(a) a special needs animal as defined in the Guide Animal Act, RSBC 1996, c 177; or

(b) an animal designated as a Special Needs Assistance Animal pursuant to section 13 of this Bylaw;

"Unlicensed Dog" means any dog over the age of three (3) months that is not licensed by the Municipality or is not wearing a valid and subsisting licence tag.

Possession of Animals [4,9]

3. No person shall keep or allow to be kept on any real property more than six (6) companion animals, consisting of not more than three (3) dogs over the age of eight (8) weeks and not more than five (5) cats over the age of twelve (12) weeks, except in the lawful operation of an animal clinic, dog boarding facility, animal shelter or rescue, dog or cat breeder, animal daycare facility, animal grooming facility, cattery, or pet store as provided for within the Municipality's Kennel and Cattery Licensing Bylaw or Pet Store Licensing Bylaw and providing the use is specifically permitted within the Municipality's zoning bylaw.

Prohibited Animals [5]

4. Except as provided in section 5 of this bylaw, no person shall:

   (a) breed;

   (b) possess;

   (c) exhibit for entertainment or educational purposes; or

   (d) display in public;

   either on a temporary basis or permanent basis, any prohibited animal outlined in Schedule "A" to this Bylaw.

5. Section 4 does not apply to:

   (a) The premises of a (local government) facility used for keeping impounded animals;

   (b) The premises of any police department;

   (c) Premises operated by The British Columbia Society for the Prevention of Cruelty to Animals;

   (d) The premises of a veterinarian licensed by the College of Veterinarians of BC, providing the veterinarian is providing temporary care for a prohibited animal;

(e) Premises that keep prohibited animals for which a valid permit is in place pursuant to the Wildlife Act, RSBC 1996 c 488;

(f) Premises that keep animals for educational and research purposes, which are accredited by the Canadian Council for Animal Care; or

(g) Premises of an aquarium or zoological park, which is accredited by the Canadian Association of Zoological Parks and Aquaria.

Exemption for Police Service Dogs

6. This Bylaw does not apply to a Police Service Dog.

Dog Licences [1,2]

7. No person shall own, keep, possess or harbour any dog over the age of three (3) months in the Municipality unless a valid and subsisting licence for the current calendar year has been obtained for the dog under this Bylaw.

8. The requirement in section 7 does not apply to a dog that is kept in the Municipality for less than one (1) month in a calendar year.

9. If a dog is required to be licensed pursuant to this Bylaw, the Owner of the dog shall apply to the Municipality for a licence on the prescribed form provided by the Municipality and pay the fee set out in Schedule "B" to this Bylaw, and upon receipt of the application and payment of the prescribed fee, the Municipality shall issue a numbered dog licence and corresponding licence tag for that licence year.

10. Every licence and corresponding licence tag issued under this Bylaw shall expire on the 31st day of December in the calendar year in which the licence was issued.

11. The licence fees set out in Schedule "B" to this Bylaw shall be reduced by one-half in respect of an application for a licence made on or after August 1st.

12. The Owner of a dog for which a licence and corresponding licence tag have been issued under this Bylaw shall affix, and keep affixed, the licence tag on the dog by a collar, harness, or other suitable device.

13. The Owner of a Special Needs Assistance Animal is exempt from the licensing fees in the Schedule "B" to this Bylaw.

14. The Owner of an animal may apply to the Animal Control Officer, in a form acceptable to the Animal Control Officer, to have that animal designated as a Special Needs Assistance Animal for the purposes of this Bylaw and, upon receiving and reviewing an application under this section, the Animal Control Officer shall:

(a) reject the application; or

(b) approve the application and designate that animal as a special needs assistance animal.

15. The Owner of a dog for which a licence and corresponding licence tag have been issued under this Bylaw may obtain a replacement licence tag upon satisfying the Municipality that the original licence tag has been lost or stolen and upon payment of the replacement licence fee set out in Schedule "B" to this Bylaw.

16. Where this Bylaw provides for a reduced licence fee for a dog that is neutered or spayed, the application shall be accompanied by a certificate signed by a qualified veterinarian indicating that the dog has been neutered or spayed.

Dangerous Dogs [1,2,5,6,7]

17. No person shall own or keep any Dangerous Dog unless this dog is licensed as a Dangerous Dog with the Municipality by an Owner who is over the age of nineteen (19), who has paid the applicable fee indicated in Schedule "B", and who keeps the dog in compliance with sections 21 and 22.

18. In order to obtain such licence, an Owner of a Dangerous Dog shall supply the following documentation to the municipality:
    (a) completion of the dog license application;
    (b) written confirmation from a licensed veterinarian that this dog has been neutered;
    (c) written confirmation from an animal trainer approved by the municipality that the services of such trainer have been retained for the purpose of providing behavioural remediation to this dog;
    (d) written confirmation that the Owner has obtained a policy of liability insurance specifically covering any damages for injuries caused by this dog in an amount not less than five hundred thousand dollars, and covering the twelve month period during which licensing is sought. The policy shall contain a provision requiring the Municipality to be named as an additional insured, such that the Municipality will be notified by the insurer if the policy is cancelled or terminated or expires;
    (e) written confirmation that the dog has Permanent Identification with the identification information outlined on the application; and
    (f) payment of the dangerous dog license fee as outlined in Schedule "B".

19. If an Animal Control Officer, based on his or her own knowledge or observations or a written complaint, has reasonable grounds to believe that a dog:
    (a) has, without provocation, aggressively pursued, attacked or bitten another animal or a person; or
    (b) has been trained for or is owned, possessed or harboured, primarily or in part, for the purpose of fighting;

    the Animal Control Officer may, without limiting the powers available to him or her pursuant to any applicable legislation, designate the dog to be a Dangerous Dog. Upon making such a designation pursuant to this section, the Animal Control Officer must deliver to the dog's Owner a letter advising that the dog has been designated as Dangerous Dog and informing the Owner of the right to request reconsideration of that decision in accordance with section 20. The letter shall be deemed to be delivered if mailed to the address on the most recent licence for that dog or the address where the dog is known or believed to reside or left with an adult person at the address on the most recent licence for that dog or the address where the dog is known or believed to reside.

20. The Owner of any dog that has been designated as a Dangerous Dog, may within fourteen (14) calendar days of delivery of the letter notifying of the Dangerous Dog designation, request that the Animal Control Officer reconsider the decision. The request for reconsideration must be accompanied by written reasons why the Owner of the dog believes the dog is not a Dangerous Dog and a written assessment of the dog, prepared by a dog behaviour specialist approved by the municipality within the last six (6) months. The Animal Control Officer, after providing the Owner and any complainant with an opportunity to make representations regarding the dog, may confirm or reverse the decision designating the dog as a dangerous dog and may cancel or modify any restrictions, requirements or conditions imposed by an Animal Control Officer and impose any new or additional restrictions, requirements or conditions as he or she deems necessary or appropriate in the circumstances.

21. Every Owner of a Dangerous Dog must at all times keep the dog:
    (a) securely confined indoors such that the dog cannot escape; or
    (b) in an Enclosure which prevents the entry into the Enclosure of children under 12 years old and prevents the animal from escaping the Enclosure; or
    (c) properly fitted with a humane basket muzzle, on a leash not longer than one metre and under the immediate control of a competent person at least nineteen (19) years of age and skilled in animal control.

22. The Owner of a Dangerous Dog shall display a sign declaring in legible writing and with a recognizable symbol that the dog is dangerous at each entrance to the property and building in which this dog is kept.

23. The Owner of a Dangerous Dog shall promptly notify the Municipality's animal control department if:
    (a) the dog is found to be At Large; or
    (b) the dog moves, is given away or dies.

24. If the Owner of a Dangerous Dog is unwilling or unable to comply with the requirements of sections 17, 18, and 21-23, this dog may be seized and impounded for a fourteen (14) day holding period, after which the dog may be euthanized by lethal injection of a barbiturate approved by the College of Veterinarians of British Columbia.

25. The Owner of a Dangerous Dog may, within fourteen (14) days of impoundment, request the release of a Dangerous Dog by submitting to the Animal Shelter Manager a letter providing proof of his or her actions of remediation to the contraventions of this Bylaw, as outlined in section 21.

Guard Dogs [2,5]

26. Every Owner of a Guard Dog must:

    (a) prevent the dog from leaving the property of the owner by ensuring:

        i. the dog is confined within the premises and these premises are reasonably secure against unauthorized entry;

        ii. the premises are completely enclosed by means of a two (2) meter fence constructed in accordance with Municipality bylaws and any gates in such fence are reasonably secured against unauthorized entry; or

        iii. the dog is securely confined in an area within the premises that is adequate to ensure that the dog cannot escape;

    (b) post warning signs advising of the presence of a guard dog on the premises, with lettering clearly visible from the lesser of the curb line of the property and 50 (fifty) feet from the premises, and posted at each driveway or entranceway to the property and at all exterior doors of the premises; and

    (c) before bringing the dog onto premises under control of the of the Owner, notify the Animal Control Manager, the Fire Department, the Animal Control Officer, and the police of the address of the property which the Guard Dog will be guarding, the approximate hours during which the Guard Dog will be performing guard duties, the breed, age, sex and dog licence number of the dog and the full names, addresses and telephone numbers of the Owner and any other individual who will be responsible for the Guard Dog while it is on guard duty.

Regulations for the Keeping of Cats [1,2,4,6,7,8]

Identification

27. Every Owner of a cat shall affix, and keep affixed, sufficient identification on the cat by a collar, harness, traceable tattoo, microchip or other suitable device such that a person finding the cat at large in the Municipality can identify and contact the owner. The form of identification used must indicate the sterilization status of the cat.

28. Every Responsible Person for a cat apparently over the age of six (6) months, shall upon request by the Animal Control Officer, provide evidence to the Animal Control Officer's satisfaction, that such cat has identification in accordance with section 27 of this bylaw.

Spay/Neuter

Option 1: Mandatory Spay/Neuter of all Cats

This option is ideal if the community has a severe cat overpopulation problem. It must be coupled with a low-income spay/neuter fund and strong enforcement. This should also be coupled with differential impoundment fees and some form of registration with identification.

29. No person shall own, keep, possess or harbour any cat apparently over the age of six (6) months in the Municipality unless

    (a) the cat has been spayed or neutered by a veterinarian; or

    (b) a valid and subsisting breeder's licence for the current licence year has first been obtained for the intact cat under this bylaw.

30. The requirement in section 29 does not apply to a cat that is kept in the Municipality for less than one month in a calendar year and which is not allowed or permitted to be At Large in the Municipality.

31. The Owner of an intact cat may apply to the Municipality for a breeder's licence on the prescribed form provided by the Municipality and pay the fee set out in Schedule "B" to this Bylaw, and upon receipt of the application and payment of the prescribed fee, the Municipality shall issue a breeder's licence to that Owner for that cat.

32. Every breeder's licence issued under this Bylaw shall expire on the 31st day of December in the calendar year in which the licence was issued.

33. No Person Responsible for an intact cat shall permit or allow it to be At Large in the Municipality.

Option 2: Mandatory Spay/Neuter of Free-Roaming Cats

This option is less strict. It is good to use if the community has a moderate to small cat overpopulation problem. It must be coupled with enforcement. It should also be coupled with differential impoundment fees and some form of registration with identification.

29. No Responsible Person shall suffer or permit a cat that is apparently over the age of six (6) months, which is owned, possessed or harboured by him or her, to be At Large, unless such cat, if female, is spayed or if a male, is neutered.

Sections 30-33 are unused.

Registration or Licensing

The use of registration or licensing has demonstrated the following benefits: increasing the value of cats in the community and reuniting more cats with their guardians. There are many models of cat registration in B.C. A municipality must consider the following options when implementing registration or licensing:

- Paid vs. Free
- Mandatory vs. Voluntary
- Lifetime vs. Annual
- Tag vs. No Tag

We recommend that civic institutions consult with their communities to determine what the best fit is for their own community. We present three sample models below.

Option 1: Mandatory Free Lifetime Registration without Tag

34. No person shall own or keep any cat apparently aged six (6) months or more within the Municipality unless such a cat is registered as provided by this Bylaw.

35. Any Owner of a cat must register their cat by:
    (a) submitting a registration application in the form provided by the Municipality;
    (b) ensuring that the cat has identification and that the identification information is provided to the Animal Control Officer.

36. The Municipality shall keep a complete registry of all cats, indicating the dates of registration, the name and description (photograph) of each cat, and the name and address of each Owner.

37. The Owner of any registered cat shall, within thirty (30) days of Owner's change of address, notify the Municipality of change of address.

Sections 38-40 are unused.

Option 2: Mandatory Cat Licensing

To sections 7-16, simply modify "dog" to say "dog or cat".

Sections 34-40 are then unused.

Issuance of Licence or Permit [6]

41. An Animal Control Officer may refuse to issue, suspend, revoke or cancel a licence or permit if the applicant for or holder of the licence or permit:
    (a) has been convicted of an offence involving cruelty to an animal; or
    (b) in the opinion of the Animal Control Officer, has failed to comply with any of the requirements of sections 51-57 regarding the Prohibition of Cruelty to Animals; or
    (c) has failed to pay any fines or fees imposed on him or her pursuant to this bylaw.

42. On request, the Animal Control Officer must provide the Owner with written reasons for refusing to issue or for suspending, revoking or cancelling a permit or licence.

43. An Owner whose animal licence or permit was refused, suspended, revoked, or cancelled pursuant to section 41 may request that the Animal Control Officer reconsider the decision by notifying the Animal Shelter Manager within fourteen (14) days of the date of the decision. Such a request must be in writing and must include the reasons why the owner believes the decision should be reconsidered. Upon receipt of a completed request:
    (a) the Animal Control Officer must, if he or she has not already done so, give the Owner written reasons for the detention; an
    (b) the Animal Shelter Manager must reconsider the refusal, suspension, revocation, or cancellation of the licence or permit and may uphold or overturn the original decision.

44. The applicant may re-apply at any time if and once the conditions for refusal, suspension, revocation, or cancellation of the licence or permit have changed.

Animal Control Regulations and Prohibitions [1,2,3,6]

45. No Responsible Person shall permit or allow a dog or cat to:
    (a) howl or bark excessively where such howling or barking causes or tends to cause annoyance to persons in the neighbourhood or vicinity;
    (b) be At Large in the Municipality;
    (c) be in a Public Place unless the dog or cat is in a carrier or kept on a leash, chain or tether not exceeding 183 centimetres (six feet) in length and the dog is under the immediate care and control of a Responsible Person and unless the area is designated as an off-leash area by the Municipality;
    (d) be tethered, tied, attached or otherwise fastened by any means to any traffic control device or support thereof, any fire hydrant or fire protection equipment, handrails, or any other object, in such a way as to obstruct the public or create a nuisance;
    (e) bite, aggressively harass, or chase other animals, bicycles, automobile or vehicles;
    (f) chase or otherwise threaten a person, whether on the property of the Responsible Person or not, unless the person chased, or threatened is a trespasser on the property of the Responsible Person;
    (g) bite a person or other animal, whether on the property of the Responsible Person or not; or
    (h) attack a person or other animal, whether on the property of the Responsible Person or not, causing severe injury or death.

46. Every Responsible Person for an intact female dog or cat shall, at all times when the dog or cat is in heat, keep the dog or cat securely confined within a building or enclosure capable of preventing the escape of the dog or cat and the entry of other dogs or cats.

47. Every Responsible Person shall, at all times when his or her dog or cat is off the premises of the Responsible Person, immediately remove or cause to be removed any feces deposited by the dog or cat, and dispose of the feces in a sanitary manner.

48. Every Person Responsible for a diseased animal must, where the disease poses a threat to the health or safety of a person or animal, ensure that the diseased animal does not leave the property or premises of the Owner other than for the purpose of a visit of a veterinarian, in which case the animal must be transported in a manner so as to ensure that it does not come into contact with another person or animal.

49. No person other than the Owner of a Companion Animal shall remove any form of identification on or affixed to the Companion Animal.

50. A person who finds and takes possession of a Companion Animal At Large in the Municipality shall immediately provide the Animal Shelter Manager with a description and photo where possible and provide a name and address for contact by the Owner of the Companion Animal.

Standards of Care for Animals [1,3,6,10,11,14]

51. No person shall keep any animal in the Municipality unless the animal is provided with:
    (a) clean potable drinking water and food in sufficient quantity and of a recognized nutritional quality to allow for the animal's normal growth and the maintenance of the animal's normal body weight;
    (b) food and water receptacles which are clean;
    (c) the opportunity for regular exercise sufficient to maintain the animal's good health, including daily opportunities to be free of an Enclosure and exercised under appropriate control; and
    (d) necessary veterinary care when the animal exhibits signs of pain, injury, illness, suffering, or disease.

52. No person may keep any animal which normally resides outside or which is kept outside for extended periods of time, unless the animal is provided with outside shelter:
    (a) which ensures protection from heat, cold and wet that is appropriate to the animal's weight and type of coat;
    (b) which provides sufficient space to allow any animal the ability to turn about freely and to easily stand, sit and lie in a normal position; at least two (2) times the length of the animal in all directions, and at least as high as the animal's height measured from the floor to the highest point of the animal when standing in a normal position plus 10%;
    (c) which provides sufficient shade to protect the animal from the direct rays of the sun at all times;
    (d) which contains bedding that will assist with maintaining normal body temperature; and
    (e) which is regularly cleaned and sanitized and all excreta removed and properly disposed of at least once a day.

53. No person may cause, permit, or allow an animal:
    (a) to be hitched, tied, or fastened to a fixed object in such a way that the animal is able to leave the boundaries of the Responsible Person's property; or
    (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 animal's neck; or be tethered other than with a collar that is properly fitted to that dog and attached in a manner that will not injure the animal or enable the animal to injure itself by pulling on the tether; or
    (c) 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 animal; or
    (d) to be hitched, tied, or fastened to a fixed object unattended at any time; or
    (e) to be hitched, tied, or fastened to a fixed object for longer than four (4) hours in within a 24 hour period; or
    (f) to be hitched, tied or fastened to a fixed object as the primary means of confinement for an extended period of time.

54. No person shall keep an animal confined in an Enclosure, including a motor vehicle, without sufficient ventilation to prevent the animal from suffering discomfort or heat related injury. Such enclosed space or vehicle (if stationary) shall be in an area providing sufficient shade to protect the animal from direct rays of sun at all times.

55. No person may transport a dog in a vehicle outside of the passenger compartment or in an uncovered passenger compartment unless it is adequately confined to a pen or cage or unless it is secured in a body harness or other manner of fastening to prevent it from jumping or falling off the vehicle or otherwise injuring itself.

56. Notwithstanding any other provision of this Bylaw, no person shall:
    (a) abandon any animal;
    (b) in any way use poison, air pellet guns, bows and arrows, firearms, sling shots, and the like on any animal;
    (c) tease, torment, or provoke an animal;
    (d) cause, permit or allow an animal to suffer; or
    (e) train or allow any animal to fight.

57. No Responsible Person for any dog shall keep such dog in an Enclosure unless all of the following requirements are met:
    (a) the enclosure shall be a fully enclosed structure with a minimum dimension of two (2) metres in width, by four (4) metres in length, and two (2) metres in height from the grade upon which the enclosure is constructed;
    (b) the location of the Enclosure shall be within a rear yard and shall meet the requirements for an accessory structure contained within the Municipality's zoning bylaw, as amended from time to time;
    (c) the Enclosure shall include an outside shelter that conforms to section 52 of this Bylaw;
    (d) if the sides are not secured to the bottom of the Enclosure, then the sides shall be embedded into the ground no less than thirty (30) centimeters or as deep as may be necessary to prevent the escape of the dog from the Enclosure;
    (e) the Enclosure must be regularly cleaned and sanitized and all excreta removed at least once a day; and
    (f) the Responsible Person for any dog shall ensure that such dog is not confined to an Enclosure in excess of ten (10) hours within any twenty four (24) hour period.

Establishment of Animal Shelter and Animal Shelter Manager [1,6]

58. The land and premises located at _____, are hereby established as the animal shelter.

59. The Municipality may enter into an agreement with any person to operate the animal shelter as Animal Shelter Manager or to act as Animal Control Officer for the Municipality or both.

60. The Animal Shelter Manager shall maintain records which include:
    (a) a description of every animal seized under this Bylaw, including a licence or registration number if any, and the date and time each animal is received by the animal shelter;
    (b) the name of the person or persons taking or sending any animal to be impounded;
    (c) the date and time each animal impounded was redeemed, sold, euthanized, or otherwise disposed of by the Animal Shelter Manager;
    (d) the name of every person redeeming any animal and the amount paid by that person;
    (e) the name of every person purchasing any impounded animal and the amount paid by that person; and
    (f) the amount of impoundment and maintenance fees, costs, and charges connected with each impounded animal.

Abilities of an Animal Control Officer [1,5,6,11,13]

61. An Animal Control Officer may seize:
    (a) any Unlicensed Dog or unregistered cat;
    (b) any Dangerous Dog not secured or muzzled in accordance with section 21;
    (c) any animal found to be At Large contrary to this bylaw; and
    (d) any animal that is, or appears to be, suffering.

62. When an animal is not on a Responsible Person's property, the Animal Control Officer may, where necessary, employ the use of lures, baits, nets, tranquilizer gun, sonic and mechanical devices or any other means of apprehending animals provided always that such methods are applied humanely.

63. An Animal Control Officer shall immediately convey any animal seized and liable to impoundment under this Bylaw to the animal shelter.

Obstruction [1,12]

64. No person shall hinder, delay, or obstruct in any manner, directly or indirectly, an Animal Control Officer or any person employed by the Animal Control Officer in carrying out the duties and powers of an Animal Control Officer under this Bylaw.

65. Every occupier of premises where any animal is kept or found and every person where encountered, having at that time the apparent custody of an animal, shall immediately, upon demand made by an Animal Control Officer or a peace officer, truthfully and fully supply the following information:

    (a) his or her name;
    (b) the number of animals owned or kept by him or her, their breed, sex, and general description;
    (c) the place where such animals are kept; and
    (d) whether the animals are currently licensed or registered.

Impoundment [1,2,4,5,6]

Standard of Care

66. Any animal impounded shall be provided with the basic animal care provisions described in sections 51-57 of this bylaw and with the requirements set out in *A Code of Practice for Canadian Kennel Operations* (Canadian Veterinary Medical Association, 2007).

67. The Animal Shelter Manager shall ensure that all animals seized under this Bylaw receive sufficient food, water, shelter, and, if necessary, reasonable veterinary attention, and that the animals are not mistreated during seizure and impoundment.

68. During the impoundment period, the Animal Shelter Manager shall:

    (a) provide such veterinary care for an injured or ill impounded animal as may be necessary to sustain its life; and
    (b) be entitled to recover from the Owner, the cost of veterinary care provided while the animal was impounded, in addition to any other fees due to the Municipality for the redemption of the animal.

69. If an Animal Shelter Manager considers that an impounded animal requires:

    (a) a vaccination;
    (b) flea treatment;
    (c) worm treatment;
    (d) examination by a veterinarian; or
    (e) urgent veterinary care to alleviate any pain or suffering as recommended by a veterinarian,

    then the Animal Shelter Manager can cause such care to be provided at the sole cost and expense of the animal's Owner.

70. During the impoundment period, the Animal Shelter Manager may euthanize, by lethal injection of a barbiturate approve by the College of Veterinarians of British Columbia, any animal deemed to be seriously ill or injured for humane reasons and in prior consultation with a veterinarian, if all reasonable efforts to contact the owner of the animal have failed.

Retention of Animal

71. The Animal Shelter Manager shall retain the animal for a period of not less than ninety six (96) hours.

72. Where an animal is seized pursuant to this Bylaw, the Animal Shelter Manager shall screen for identification and microchips. The Animal Shelter Manager shall make every effort to identify and notify the Owner of the animal of the fact that the animal has been seized and that the animal will be adopted, euthanized or otherwise disposed of by the Animal Shelter Manager after the expiration of ninety six (96) hours from the date the animal was seized unless the animal is redeemed before that time.

73. Where the Owner of an animal which has been seized under this Bylaw is not known to, and cannot be identified by, the Animal Shelter Manager, the Animal Shelter Manager shall cause notice of the seizure to be posted on the public notice boards at the animal shelter, and, if the technology is available, on a website. Such notice shall set out the particulars of the seized animal, the date of seizure, and that the animal will be sold, euthanized, or otherwise disposed of by the Animal Shelter Manager after the expiration of ninety six (96) hours from the date of the notice unless the animal is redeemed before that time.

Redemption and Costs

74. An Owner of an animal seized under this Bylaw, or any person authorized in writing on the Owner's behalf, may redeem the animal at any time prior to its adoption, euthanasia, or disposal under this Bylaw upon:
    (a) delivery to the Animal Shelter Manager of evidence satisfactory to the Animal Shelter Manager of ownership of the animal;
    (b) payment of the impoundment and maintenance fees, costs, and charges incurred in respect of the seizure and boarding of the animal as set out in Schedule "C" to this bylaw; and
    (c) licensing or registration of the animal with the Municipality and payment of the current requisite licence or registration fee if the animal is required to be licensed or registered pursuant to this bylaw and is not licensed or registered.

Failure to Redeem

75. After an animal has been impounded for longer than ninety six (96) hours, the Animal Shelter Manager may direct that the animal:
    (a) be offered to the general public for adoption if the animal is neither a diseased animal nor a dangerous dog;
    (b) be placed with any person or organization deemed acceptable by the Animal Shelter Manager; or
    (c) after reasonable attempts have been made to place the animal, be euthanized by lethal injection of a barbiturate approved by the College of Veterinarians of British Columbia.

76. The Animal Shelter Manager may, pursuant to section 75(a) of this Bylaw, put up for adoption any animal impounded under the following conditions:
    (a) no dog, cat, or rabbit shall be adopted unless it is reproductively sterile and is vaccinated;
    (b) the Animal Shelter Manager may make it a condition of adoption that the person demonstrate that he or she will be a responsible pet owner; and
    (c) the Animal Shelter Manager may make it a condition of adoption of an animal, that the animal has an acceptable form of Permanent Identification.

77. Where the Owner of an animal has been determined and all reasonable efforts to contact such Owner have been made, but the Owner does not claim the animal, he or she shall be responsible for payment to the Municipality the fees described in Schedule "C".

78. No person shall take or release any animal from the animal shelter without the consent of the Animal Shelter Manager.

79. The Animal Shelter Manager may accept a dog or cat from the Owner of such animal for the purpose of having the animal euthanized or otherwise disposed of upon receiving a fee from that person which is sufficient to cover the costs of that service.

80. The owner of any dead Companion Animal may request the service of an Animal Control Officer to pick up and dispose of the dead companion animal. Upon receipt of the destruction and pick up fee specified in Schedule "C", the Animal Control Officer may pick up and dispose of the dead companion animal.

Right of Refusal to Release from Impoundment [3,6]

81. Upon reasonable grounds, the Animal Shelter Manager has the right to refuse to any person the release or adoption of any animal for any of the following reasons:
    (a) to protect the safety of the public from the animal;
    (b) to protect the safety of the animal from the public;
    (c) to protect the health and welfare of the animal from the individual;
    (d) if the person is under nineteen (19) years of age; or
    (e) if the person is apparently under the influence of alcohol or a drug, such that the Animal Shelter Manager does not feel that the individual has the cognitive ability to accept responsibility for the animal.

82. An Owner whose animal was detained pursuant to section 82 may request that the Animal Shelter Manager reconsider the decision to detain the animal by notifying the _____ within fourteen (14) days of the date of the decision. Such a request must be in writing and must include the reasons why the Owner believes the decision should be reconsidered. Upon receipt of a completed request:
    (a) the Animal Shelter Manager must, if he or she has not already done so, give the Owner written reasons for the detention; and
    (b) reconsider the detention and may uphold or overturn the original decision.

83. If, within fourteen (14) days after the decision to detain was made or confirmed, an animal detained pursuant to section 82 is not claimed by its Owner and the applicable requirements of section 83 are not satisfied, the animal shall be deemed to have been surrendered to the Municipality and the Animal Shelter Manager may cause the animal to be made available for adoption or otherwise disposed of.

Offences and Penalties [1,6]

84. Any person, other than an Animal Control Officer acting in good faith in the course of his or her duties, who causes, permits or allows anything to be done in contravention or violation of this bylaw or who neglects or fails to do anything required to be done pursuant to this bylaw commits an offence is subject to a minimum fine of fifty dollars ($50.00) and shall upon summary conviction be liable to a fine of not more than two thousand dollars ($2,000.00) or to imprisonment for not more than six months or to both. If the offence is a continuing one, each day that the offence is continued shall constitute a separate offence. Nothing in this section shall restrict the Municipality's ability to enforce this Bylaw in any other manner permitted Bylaw.

85. This Bylaw is designated pursuant to section 264 of the Community Charter, SBC 2003, c26 as a bylaw that may be enforced by means of a ticket in the form prescribed.

86. Animal Control Officers and members of the Royal Canadian Mounted Police are designated to enforce this Bylaw by means of a ticket pursuant to section 264 of the Community Charter.

Severability [1]

87. If any section or lesser portion of this Bylaw is held to be invalid by a Court, such invalidity shall not affect the remaining portions of the Bylaw.

Repeal [1]

88. "The Previous Bylaw, No. _____" and all amendments thereto are hereby repealed.

READ A FIRST TIME THIS _____.

READ A SECOND TIME THIS _____.

READ A THIRD TIME THIS _____.

APPROVED AND FINALLY ADOPTED THIS _____.

Schedule A

LIST OF PROHIBITED ANIMALS

1. all nonhuman primates
2. all felidae, except the domestic cat
3. all canidae, except the domestic dog
4. all ursidae (bears)
5. all proboscidea (elephants)
6. all pinnipedia (seals, walrus)
7. all marsupials
8. all edentates (anteaters)
9. all xenartha (such as sloths, armadillos, and tamanduas)
10. all monotremata (spiny anteater and platypus)
11. all venomous or poisonous reptiles and amphibians
12. all reptiles and amphibians over 2ft adult size
13. all venomous or poisonous invertebrates (such as black widow spiders, tarantulas, and blue-ringed octopus)
14. all ungulates, except the bison and the domestic breeds of cow, goat, sheep, pig, horse, mule, donkey, ass, llama, and alpaca
15. all hyenidae (hyenas)
16. all hyracoidean (hyraxes)
17. all erinaceidae (tenrecs and hedgehogs)
18. all mustelidae (skunks, weasels, otters, wild ferrets), except the domestic ferret
19. all procyonidae (raccoons, coatimundis)
20. all viverridae (civets and genets)
21. all herpestidae (mongooses)
22. all cetacea (whales, porpoises, dolphins)
23. all rodentia, except the hamster, gerbil, guinea pig, domestic mouse, and domestic rat
24. all chiroptera (bats), colugos (flying lemurs), and scandentia (treeshrews)
25. all lagomorphs (rabbits and hare), except the domestic rabbit
26. all birds except the domestic quail, pheasant, pigeon, chicken, duck, goose and turkey, plus the budgie, cockatiel, lovebird, finch, and canary; and
27. all saltwater fish.

Schedule B [3]

LICENCING:

(a) Dogs or cats

- (i) Neutered male or Spayed female $XX.00
- (ii) Other than (i) above $XX.00
- (iii) Guard Dog/Dangerous Dog $XXX.00
- (iv) Special Needs Assistance Animal $0
- (v) Police Services Dog $0

(vi) New licences issued from August 1 to December 31 of any given year shall be subject to a fee equal to 50% of the above noted fees. This does not apply to renewals or to dogs eligible to be licensed prior to August 1.

(b) Cat breeder license $XX.00

(c) Replacement of licence $X.00

Schedule C [3]

IMPOUNDMENT (Release to Owner or sale):

DOGS

	Licensed
(a) Spayed or Neutered	$XX.00
(b) Not Spayed or Neutered	$XXX.00
(c) Dangerous Dog	$XXX.00
(d) Pups under six (6) months of age	$XX.00

CATS AND OTHER SMALL ANIMALS

(a) Cats	
Spayed or neutered	$XX.00
Not spayed or neutered	$XX.00
(b) Other Small Domesticated Animals	$XX.00

ADOPTION OF ANIMALS

Dog	$XXX.00 (plus license fee if applicable)
Puppy (under 6 months of age)	$XXX.00 (plus license fee if applicable)
Cat	$XXX.00 (plus license/registration fee if applicable)
Kitten	$XXX.00 (plus license/registration fee if applicable)
Small Animals	$X.00-$XX.00

BOARDING OF ANIMALS:

Rate per Day

(a) Cat	$XX.00
(b) Dog	$XX.00

GROOMING:

Bathing & Dryer Usage	$XX.00

EUTHANASIA:

(a) 0 – 20 lbs	$XX.00
(b) 21 – 50 lbs	$XX.00
(c) 51 – 75 lbs	$XX.00
(d) 76 – 100 lbs	$XXX.00
(e) 101 + lbs	$XXX.00

CREMATION SERVICES:

General Cremations – no ashes returned

(f)	0 – 20 lbs	$XX.00
(g)	21 – 50 lbs	$XX.00
(h)	51 – 75 lbs	$XX.00
(i)	76 – 100 lbs	$XXX.00
(j)	101 + lbs	$XXX.00

Pick Up Fee $XX.00 per pick up

Schedule D

FINES: Outline if desired.

Sources:

1. City of Port Alberni, British Columbia. Bylaw 4593. A bylaw to regulate the keeping of dogs and other animals in the city of Port Alberni.
2. City of Coquitlam, British Columbia. Bylaw 4240. A Bylaw to regulate the care and control of animals and to establish and operate a municipal animal shelter in the City of Coquitlam.
3. City of Terrace, British Columbia. Bylaw 1894-2007, 1977-2011. A Bylaw to provide for animal control, licencing, protection of and protection from, domestic animals.
4. District of Mission, British Columbia. Bylaw 1782-1988. Dog Licensing and Animal Control and Impounding Bylaw.
5. The Corporation of the Village of Valemont, British Columbia. Bylaw 667. A bylaw to provide for the regulation, control and licensing of dogs and other animals within the Village of Valemont.
6. The Corporation of Delta, British Columbia. Bylaw 6893. A Bylaw to regulate the licencing of dogs and the control of animals within Delta.
7. The City of Kamloops, British Columbia. Bylaw 34-11. Animal Control Bylaw.
8. The Town of Port McNeill, British Columbia. Bylaw 632. A Bylaw to provide for the impounding and regulation of animals and for licensing thereof.
9. The Corporation of the City of Penticton, British Columbia. Bylaw 2011-04. A bylaw to provide for the licensing and control of dogs within the corporation of the City of Penticton.
10. City of Cranbrook, British Columbia. Bylaw 3555. A Bylaw to provide for the licensing and control of animals within the City of Cranbrook.
11. The Corporation of the District of Kent, British Columbia. Bylaw 1396. Animal Control Regulation Bylaw.
12. The Corporation of the District of Oak Bay, British Columbia. Bylaw 4013. A Bylaw to provide for the licensing and controlling of animals in the Municipality of Oak Bay.
13. Regional District of East Kootenay, British Columbia. Bylaw 2095. A Bylaw to regulate the keeping of dogs within Electoral Areas E and F.
14. The Corporation of the City of Nelson, British Columbia. Bylaw 2333. Being a Bylaw to Licence and regulate Dogs and Cats and Other Animals and to Establish a Municipal Pound.

Kennels, Catteries & Pet Stores

The majority of companion animals originate from commercial breeders, yet few animal guardians know just what standards are adhered to in the facilities into which their animals are born. Similarly, most pets, including dogs, cats and other small animals, are bought from retail pet stores, where living conditions can be highly variable.

Providing adequate standards of care for young animals in breeding and retail facilities is crucial for their future health and temperament, as so much physiological and behavioural development occurs in the animal's first months.

While many breeders and pet store owners are conscientious animal managers, adequacy of animal housing and sanitation are not guaranteed, nor is access to adequate food, water, and veterinary care. Inadequate animal management and sanitation can create serious public health and safety concerns, both for community members in the pet store's direct vicinity, as well as for individuals who purchase sick and poorly socialized animals.

The operation of retail outlets where animals are kept and sold demands precise attention to detail and a commitment to animal welfare. A pet store's success in meeting community expectations is largely dependant upon the knowledge, training, skill, and integrity of the store's management and staff.

Requirements for licensing of dog breeding and boarding kennels is well established among municipalities in British Columbia. However, few kennel licensing bylaws in BC stipulate requirements for basic animal care, such as those outlined in the Code of Practice for Canadian Kennel Operators.

Requiring that breeders and pet stores meet these basic standards of animal care and sanitation provides a municipality with greater control over the source of animals in a community. Potential public health and safety problems that originate from irresponsible breeders or animal retailers can be identified early and remedied before an incident occurs.

The BC SPCA encourages all levels of government to consider strategies that make sense for their greater community, including breeder and pet store inspections and licensing, mandatory identification of cats and dogs, commercial pet sales bans, and import and transport restrictions.

KENNEL AND CATTERY LICENSING BYLAW

The text of this model bylaw is adapted from the content of various existing municipal bylaws[1, 2].

1. Interpretation

(1) In this Bylaw, unless the context otherwise requires:

(a) "Animal" means any member of the Kingdom Animalia excluding humans

(b) "Cat" means a male or female domesticated cat.

(c) "Cattery" means any establishment which houses more than 3 cats, or in which any number of cats are kept for breeding and/or boarding purposes.

(d) "Dog" means a male or female domesticated dog.

(e) "Identifying tag or badge", in relation to a dog or cat, means a tag or badge which clearly displays information indicating the licensed kennel or cattery at which it was born and any other information required by law, rule or regulation,

(f) "Inspector" means a person designated by the municipality to be responsible for enforcing this bylaw, except where otherwise provided.

(g) "Kennel" means any establishment which houses more than 3 dogs, or in which any number of dogs are kept for commercial breeding and/or boarding purposes.

(h) "Licensed animal seller" means a premises licensed under the Sale of Live Animals Bylaw.

(i) "Licensing officer" shall mean a person appointed by the municipality for the purpose of processing and issuing licences under this bylaw.

(j) "Owner" means any person, partnership, association or corporation that owns, possesses or has control, care or custody over an animal.

2. Licence Requirements

(1) No person shall own, operate, manage, control, supervise or have on any property a kennel or cattery that has not been licensed with the municipality.

(2) When applying for a licence, any person who owns or operates a kennel or cattery shall pay the applicable fee indicated in Schedule 1 and shall supply the following documentation to the municipality:

(a) written confirmation from The British Columbia Society for the Prevention of Cruelty to Animals or a licensed veterinarian that the applicant has complied with sub-section (4) of this bylaw, with any associated costs borne by the applicant;

(b) a site plan drawn to scale showing the location of all buildings or structures on the subject property, including the location of all buildings or structures to be used for kennel or cattery purposes. The site plan must also specify the distance which separates the kennel or cattery buildings, structures, dog runs and facilities from all property lines and all buildings, including any residential buildings situated on the adjacent properties;

(c) a list of the maximum dogs or cats to be kept at the subject property, including both purebreds and non-purebreds, and verification of current rabies vaccination for each dog and cat

(d) a sworn affidavit by the owner or operator and by each member of staff that (s)he has never been convicted of an offense pertaining to cruelty towards or neglect of an animal;

(e) Certificate of Insurance or Covernote, confirming the issuance of a Commercial General Liability or like policy, having third party liability limits of no less than 2 million dollars, covering the property on which the kennel or cattery is located and its operations.

(f) Confirmation from _____ [insert name of body responsible for septic and/or sewage systems], that the property on which the kennel or cattery is to be operated has an operable septic and/or sewage system, suitable for the purpose of operation a kennel or cattery, as applicable.

(3) All kennels and catteries shall comply with the basic animal care requirements set out in section 8 of the Animal Control Bylaw and with the requirements set out in A Code of Practice for Canadian Kennel Operations (Canadian Veterinary Medical Association, 2007) and shall sign a declaration to that effect.

(4) A licence issued under the provisions of this bylaw may be suspended or revoked from any owner or operator of a kennel or cattery who fails to comply with a bylaw of the municipality.

(5) An inspector (or its duly designated delegate) or a Special Provincial Constable of the British Columbia Society for the Prevention of Cruelty to Animals shall be permitted to enter and inspect any building, structure, run or facility, or part thereof, used for the kennel or cattery and any animals found therein at all reasonable times, upon production of proper identification, for the purpose of determining compliance with this bylaw.

(6) An inspector (or its duly designated delegate) or a Special Provincial Constable of the British Columbia Society for the Prevention of Cruelty to Animals who finds that the owner or operator of a kennel or cattery does not comply with this bylaw shall issue a written warning and may subsequently order that the animals be seized and impounded by the pound keeper, should compliance not be rectified within the timeline indicated in the warning.

(7) The licensing officer shall refuse any licence application, which does not meet with all of the requirements of this Bylaw.

(8) In the event that a licence application is refused, the licensing officer shall give notice in writing to the owner by registered mail or personal delivery.

3. Municipal Confirmation

(1) Prior to the issuance of any licence, the licensing officer shall obtain confirmation from the municipality that:

(a) there have been no bylaw violations during the previous licensing year;

(b) a site inspection has been conducted to verify the information on the site plan and the maximum number of dogs or cats to be kept at the kennel or cattery; and

(c) the site plan and type of kennel or cattery meets the applicable municipal zoning requirements.

4. Changes to Site Plan

(1) After the issuance of a licence, the owner shall apply in writing to the licensing officer for approval of any changes which would alter the site plan filed with the licence application. The application for changes shall include a revised site plan.

(2) Upon receipt of a revised site plan, the licensing officer shall obtain the municipal clearances as set out Section 3(1) of this Bylaw and may consult with The British Columbia Society for the Prevention of Cruelty to Animals or the veterinarian that provided clearance for the initial application if deemed appropriate.

(3) Upon receipt of a revised site plan, the Licensing Officer may consult with the _____ [insert name of body responsible for septic and/or sewage systems] that provided clearance for the initial application, if deemed appropriate.

(4) Notice of approval or refusal of a site plan change shall be given by the licensing officer in writing by registered mail or personal delivery.

5. Expiry of licence and renewal

(1) Every licence issued pursuant to this Bylaw shall expire on the _____ day of _____ in the year succeeding the date of issue, and every application for renewal of a licence shall be finalized on or before the same date.

6. Special provisions for breeding establishments

(1) No bitch shall:

(a) be mated if it is less than one year old;

(b) give birth to more than six litters; and

(c) give birth before the end of the period of twelve months beginning with the day on which it last gave birth.

(2) Accurate records in a form prescribed by the municipality shall be kept at the kennel and made available for inspection there by any officer of the municipality, or any a Special Provincial Constable of the British Columbia Society for the Prevention of Cruelty to Animals or licensed veterinarian, authorized by the local authority to inspect the premises.

7. Sale of Dogs and Cats from Kennels and Catteries

(1) The keeper of a licensed kennel or cattery shall not:

(a) sell a dog or cat other than at a licensed breeding establishment or to a licensed pet store,

(b) sell a dog or cat other than to a licensed pet store knowing or believing that the person who buys it intends that it should be sold (by her/him or any other person),

(c) sell a dog or cat which is less than eight weeks old otherwise than to the keeper of a licensed pet store, (d) sell to the keeper of a licensed pet store a dog or cat which was not born at a licensed kennel or cattery,

(d) sell to the keeper of a licensed pet store a dog or cat which, when delivered, is not wearing a collar with an identifying tag or badge, or

(e) advertise the sale of a dog or cat without providing their license number in the advertisement.

(2) In proceedings against any person under Section 7 of this bylaw it shall be a defence for that person to show that (s)he took all reasonable steps and exercised all due diligence to avoid committing the offence.

8. Offenses and Fines

(1) Every person who commits an offence against this Bylaw is punishable on conviction by a fine of not less than $1,000.00 and not more than $5,000.00 for each offense.

(2) Each day a violation of the provisions of this bylaw exists or is permitted to exist shall constitute a separate offence.

SCHEDULE 1

License fees shall be determined by each municipality.

Sources:

1. The Corporation of the Township of Perth East, Ontario. Bylaw 75-2001. Kennel & Boarding Facility Licensing Bylaw.

2. Town of Markham, Ontario. Bylaw 2005-254. Animal control bylaw.

PET STORE LICENSING BYLAW

The text of this model bylaw is adapted from the content of various existing municipal bylaws[1, 2].

1. Interpretation

(1) In this Bylaw, unless the context otherwise requires:

(a) "Animal" means any member of the Kingdom Animalia excluding humans

(b) "Inspector" means a person designated by the municipality to be responsible for enforcing this bylaw, except where otherwise provided.

(c) "Licensee" means any person or business entity which obtains a licence to operate and does operate a business that involves the selling of live animals other than those intended for food or farming purposes

(d) "Licensing officer" means a person appointed by the municipality for the purpose of processing and issuing licences under this bylaw.

(e) "Neuter" means to castrate a male animal by removing the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association.

(f) "Pet store" means a business which sells, at premises of any nature (including a private dwelling), live animals other than those intended for food or farming purposes, or that keeps such animals in any such premises with a view to their being sold in the course of such a business, whether by the keeper thereof or by any other person

(g) "Prohibited animal" means any animal listed in Schedule 1 of this bylaw

(h) "Owner" means any person, partnership, association or corporation that owns, possesses or has control, care or custody over an animal.

(i) "Spay" means the sterilization of a female animal by removing the ovaries or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association.

2. Licensing of Pet Stores

(1) Every person who keeps a pet store shall upon the approval of the municipality, obtain, no later than the date established by the municipality in each year, a licence to operate such premises.

(2) The municipality may, on application being made to them for that purpose by a person who is not for the time being disqualified from keeping a pet store, and on payment of such fee as may be currently in force, grant a licence to that person to sell live animals at such premises in their area as may be specified in the application and subject to compliance with such conditions as may be specified in the licence.

(3) Every licensee and each member of staff will provide a sworn affidavit that (s)he has never been convicted of an offense pertaining to cruelty towards or neglect of an animal.

(4) Subject to the provisions hereinafter contained with respect to cancellation, any such licence shall remain in force until the end of the year to which it relates and shall then expire.

3. Duties of Pet Store Operator – General

(1) A licensee of a pet store must:

(a) ensure that each animal in the pet store is provided with sufficient water, food, shelter, warmth, lighting, cleaning, sanitation, exercise, grooming, veterinary care, and any other care required to maintain the health, safety, and well-being of the animal;

(b) prohibit any member of the public, except under the supervision of an employee, from handling any animal in the pet store;

(c) ensure that every dog, cat, or rabbit sold has been spayed or neutered prior to sale.

4. Duties of Pet Store Operator – Cages and Enclosures

(1) A licensee of a pet store must:

(a) maintain each enclosure in the pet store in good repair;

(b) keep each enclosure in a clean and sanitary condition;

(c) disinfect each enclosure and keep it free of offensive or disagreeable odours;

(d) keep each enclosure free of all animal waste;

(e) keep each enclosure appropriately ventilated to maintain acceptable air quality and humidity;

(f) keep each enclosure suitably lit;

(g) cause each enclosure to be proportionate in size to the size and species of animal contained or confined in it, and to allow room for the animal to stand to its full height, turn around with ease, and perform any other normal postural or behavioural movement;

(h) equip each enclosure with a clean water source accessible at all times by any animal contained or confined in it, and with a food container suitable for the species of animal;

(i) cause each enclosure which contains or confines a cat to:

(i) have a floor with an impermeable surface

(ii) be able to support the weight of a cat without bending

(iii) include a litter pan made from non-absorbent material or a disposable pan containing sufficient litter;

(j) cause each enclosure which contains or confines more than one cat to include an elevated platform or surface of adequate size to hold the number of cats in the enclosure;

(k) cause each enclosure which contains or confines a dog to:

(i) have a floor with an impermeable surface, and

(ii) be able to support the weight of a dog without bending;

(l) cause each enclosure which contains or confines a bird to:

(i) consist of materials which are impervious to moisture

(ii) have a removable and impermeable bottom

(iii) contain more than one perch, mounted so as to encourage flight between each perch,

(iv) be of sufficient size and dimension to enable all birds perched in the enclosure at the same time to sit

(v) be of sufficient size and dimension to enable all birds perched in the enclosure at the same time to extend their wings fully in every direction.

5. Duties of Pet Store Operator – Veterinary Care

(1) A licensee of a pet store must:

(a) promptly cause a veterinarian to examine and treat any ill or injured animal in the pet store;

(b) ensure a veterinarian directly supervises any necessary euthanasia of any animal in the pet store and any disposal of any dead animal from the pet store, or cause a veterinarian to undertake such euthanasia and disposal;

(c) post in a conspicuous place, and make accessible to all employees of the pet store, the name and telephone number of a veterinarian whom an employee may contact, to provide all necessary health-related services.

6. Duties of Pet Store Operator – Segregation of Ill or Injured Animals

(1) A licensee of a pet store must:

(a) provide an area in the pet store for the segregation, from other animals, of any animal who is injured, ill, or in need of special care, treatment, or attention;

(b) if an animal in the pet store is, or appears to be, suffering from a disease transmittable to humans or other animals:

(i) if a veterinarian is not available, cause any person qualified and experienced in the care and treatment of the species concerned to examine and treat the animal promptly, and, when a veterinarian is available, comply with subsection 5(1),

(ii) if instructed to do so by a veterinarian after examination of such an animal, notify the Medical Health Officer, and

(iii) isolate such an animal from healthy animals until a veterinarian or the Medical Health Officer has determined that such animal is free from the disease in question;

(c) upon receipt of confirmation from a veterinarian or the Medical Health Officer, that an animal:

(i) has a disease, not permit such animal to come into contact with, or be in danger of transmitting the disease to, other animals, or

(ii) is suffering from an incurable disease, make arrangements to have it immediately euthanized and disposed of in a manner approved by the Medical Health Officer.

7. Duties of Pet Store Operator – Pet Store Register

(1) A licensee of a pet store must:

(a) keep and maintain a legible pet store register in the pet store containing record of each transaction in which the licensee has acquired or disposed of an animal, except for an animal owned by and sold for The British Columbia Society for the Prevention of Cruelty to Animals or other animal welfare organization, including the following information:

(i) the name and address of the person from whom the licensee acquired the animal,

(ii) the date of the acquisition,

(iii) a description of the sex and colouring of the animal, and of any tattoo, microchip number, or other identifying marking,

(iv) the date the licensee disposed of the animal, and

(v) if the disposition is other than by sale, the method of and reason for such disposition;

(b) produce the pet store register referred to in subsection (a) for inspection at the request of a the Inspector and provide copies of any entries required by the Inspector;

(c) retain each transaction recorded in the pet store register for at least 12 months from the date of the transaction;

(d) at the time of the sale of an animal, provide the purchaser with a written record of sale including the following information:

(i) a description of the animal,

(ii) the date of sale,

(iii) the name and address of the pet store,

(iv) a description of the animal, including its species, sex, age, colour and markings,

(v) a description of any tattoo,

(vi) the breed or cross breed, if applicable, and

(vii) a record of all vaccinations;

(e) at the time of the sale of an animal, except for an animal owned by and sold for The British Columbia Society for the Prevention of Cruelty to Animals or other animal welfare organization, provide the purchaser with a current certificate indicating the proof and date of inoculation and de-worming.

8. Duties of Pet Store Operator – Information Provided to Purchasers

(1) A licensee of a pet store must:

(a) at the time of the sale of an animal, provide the purchaser with written instructions on the proper care and feeding of the animal, including:

(i) appropriate diet including any special dietary needs,

(ii) proper handling techniques,

(iii) basic living environment and type of enclosure, if applicable, including appropriate temperature, lighting, humidity control, or other requirements specific to the animal,

(iv) any exercise needs, and

(v) any other care requirements to maintain the health and well-being of the animal.

9. Pet Store Operator – Prohibitions

(1) A licensee of a pet store must not:

(a) confine incompatible species of animals in the same enclosure;

(b) separate any animal from its mother prior to it being weaned, except for birds which the licensee separates for the purpose of hand feeding;

(c) sell, offer to sell, or display to the public:

(i) any animal which suffers from or exhibits signs of an infectious or contagious disease, a nutritional deficiency, parasitism, fractures, or congenital deformities, or

(ii) any prohibited animal listed in Schedule 1.

(d) sell any animal to a person whom he has reasonable cause to believe to be under the age of sixteen years;

(e) sell animals other than on premises licensed under this bylaw;

(f) sell a dog or cat without the identifying tag or badge issued by the breeder from which the dog or cat was obtained;

(g) give away any animal for free for any promotional purpose.

10. Refusal of Licence

(1) The licensing officer shall refuse any licence application, which does not meet with all of the requirements of this bylaw.

(2) In the event that a licence application is refused, the licensing officer shall give notice in writing to the owner by registered mail or personal delivery.

11. Expiry of licence and renewal

(1) Every licence issued pursuant to this Bylaw shall expire on the ----- day of ------ in the year succeeding the date of issue, and every application for renewal of a licence shall be finalized on or before the same date.

12. Inspection

(1) Every person who owns or operates a pet store shall permit an inspector (or its duly designated delegate) or a Special Provincial Constable of the British Columbia Society for the Prevention of Cruelty to Animals to enter and inspect the pet store and any animals found therein at all reasonable times, upon production of proper identification, for the purpose of determining compliance with this bylaw.

13. Offenses and Fines

(1) Every person who commits an offence against this Bylaw is punishable on conviction by a fine of not less than $250.00 and not more than $2,000.00 for each offense.

(2) Each day a violation of the provisions of this bylaw exists or is permitted to exist shall constitute a separate offence.

SCHEDULE 1

LIST OF PROHIBITED ANIMALS

- all nonhuman primates
- all felidae, except the domestic cat
- all canidae, except the domestic dog
- all ursidae (bears)
- all proboscidea (elephants)
- all pinnipedia (seals, walrus)
- all marsupials
- all edentates (anteaters)
- all xenartha (such as sloths, armadillos, and tamanduas)
- all monotremata (spiny anteater and platypus)
- all venomous or poisonous reptiles and amphibians
- all reptiles and amphibians over 2ft adult size
- all venomous or poisonous invertebrates (such as black widow spiders, tarantulas, and blue-ringed octopus)
- all ungulates, except the bison and the domestic breeds of cow, goat, sheep, pig, horse, mule, donkey, ass, llama, and alpaca
- all hyenidae (hyenas)
- all hyracoidean (hyraxes)
- all erinaceidae (tenrecs and hedgehogs)
- all mustelidae (skunks, weasels, otters, wild ferrets), except the domestic ferret
- all procyonidae (raccoons, coatimundis)
- all viverridae (civets and genets)
- all herpestidae (mongooses)
- all cetacea (whales, porpoises, dolphins)
- all rodentia, except the hamster, gerbil, guinea pig, domestic mouse, and domestic rat
- all chiroptera (bats), colugos (flying lemurs), and scandentia (treeshrews)
- all lagomorphs(rabbits and hare), except the domestic rabbit
- all birds except the domestic quail, pheasant, pigeon, chicken, duck, goose and turkey, plus the budgie, cockatiel, lovebird, finch, and canary
- all saltwater fish

Sources:

1. City of Richmond, British Columbia. Bylaw 7538, Part 12. Animal Control Regulation.

2. City of Vancouver, British Columbia. Bylaw 4450-23.2

Pet Overpopulation & Spay/Neuter

As the main safety net for unwanted animals in BC, the BC SPCA takes in and cares for nearly 26,000 animals each year. The vast majority of these animals are either strays or the sad result of an unwanted litter or a home with too many animals.

As BC's population of residents grows, so does the number of unwanted companion animals. With a provincial growth in human population of 2% per year, the BC SPCA face a continual struggle to shelter increasing numbers of unwanted animals. This struggle is simply unsustainable — our safety net is bulging. Solutions are needed now to stop pet overpopulation in its tracks.

Companion animal overpopulation is an issue of significant relevance to municipal government for health and safety reasons and also as a matter of fiscal sustainability. As our population grows, so does the work load of animal control departments – and the control, housing, and euthanasia of unwanted animals are costly budget items. Municipalities that have invested in proactive strategies for reducing pet overpopulation have realized new financial efficiencies in their operational costs.

Efforts to reduce overpopulation have traditionally focused on sterilization (spay/neuter) programs. The BC SPCA and other animal welfare organizations have focused our efforts on three strategies:

1. Subsidizing the costs of sterilization for members of the public;
2. Sterilizing animals that come into our care; and
3. Educating the public to encourage voluntary compliance with sterilization.

This model bylaw package includes four bylaw initiatives that municipalities can implement to address pet overpopulation in BC:

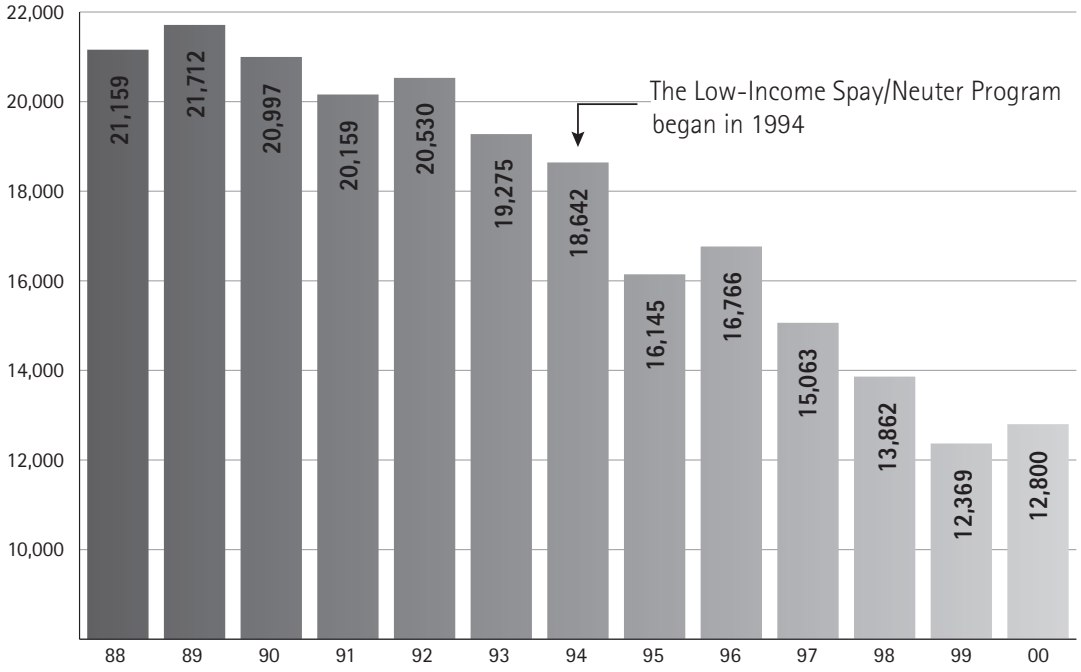
1. The creation of a municipal spay/neuter fund, which provides a subsidy for the spay/neuter of animals who are owned by low-income residents, or who are in the possession of a registered charity that cares for homeless animals. This program is described in more detail in the following pages.
2. Higher licensing fees for unsterilized animals, which provides a financial incentive for guardians to spay or neuter their animals (Schedule 1 of the Animal Control Bylaw – p. 14).
3. Requirements for breeders to be licensed, which discourages casual or "backyard" breeding (Kennel & Cattery Licensing bylaw – p. 17).
4. Requirements for pet stores to sell only spayed or neutered animals (Section 3.1(b) of the Pet Store Licensing bylaw - p. 20).

Spay/neuter subsidy programs have proven to be the most effective method of combating pet overpopulation in a number of U.S. municipalities and states. For example, New York, New Hampshire, and Delaware have created funds to subsidize spay/neuter costs mainly for low-income citizens, thereby targeting accidental breeding, and are reporting outstanding results.

The New Hampshire fund has been in place for 20 years, and accordingly provides a good opportunity to study its impact. Within five years of its introduction, shelter intake in the state had dropped by an incredible 30% (see following page for statistical charts). The New Hampshire program is funded by a small surcharge on all dog licences.

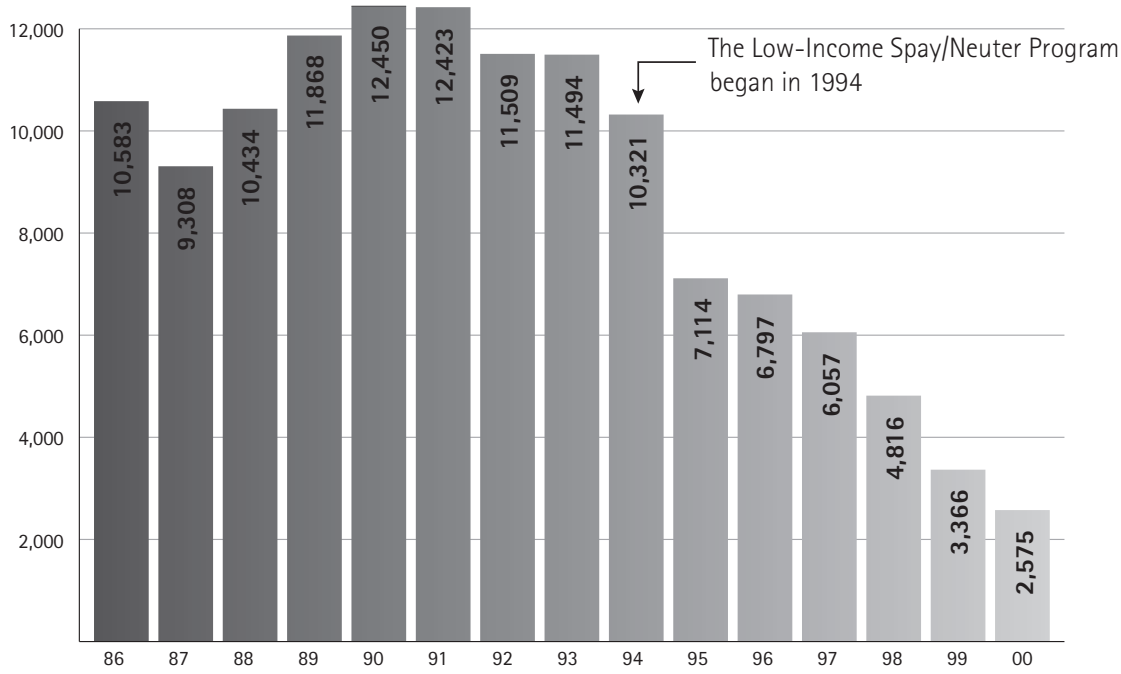
The model bylaw provided in the following section is based upon the strategies in place in the states of New Hampshire and Delaware, two states that have taken a similar approach and have found great success to date.

SHELTER INTAKE New Hampshire Shelters, 1988 through 2000



Source: New Hampshire Federation of Humane Organizations, Inc.

CATS AND DOGS EUTHANIZED New Hampshire Shelters, 1986 through 2000



Source: New Hampshire Federation of Humane Organizations, Inc.

ANIMAL POPULATION CONTROL AND SPAY/NEUTER FUND

The text of this model bylaw is adapted from the content of existing legislation in two US states[1, 2].

1. Interpretation

(1) In this Bylaw, unless the context otherwise requires:

(a) "Abandoned/free roaming/homeless/stray/unwanted animal" means a cat or dog with no known owner or not wanted by its owner or that may be deserted by its owner.

(b) "Administrator" means an officer designated by the municipality of _____.

(c) "Animal" means any member of the Kingdom Animalia excluding humans.

(d) "Animal Shelter" means a public or private facility which includes a physical structure that provides temporary or permanent shelter to stray, abandoned, abused, or owner-surrendered animals.

(e) "Cat" means a male or female domesticated cat.

(f) "Dog" means a male or female domesticated dog.

(g) "Owner" means any person, partnership, association or corporation that owns, possesses or has control, care or custody over an animal.

(h) "Spay/neuter" means the sterilization of a female animal by removing the ovaries or of a male animal by removing the testicles or by any method of pharmaceutical sterilization approved by the Canadian Veterinary Medical Association.

2. Animal Population Control Program

(1) This bylaw recognizes the economic hardships associated with animal population control, the problems associated with homeless animals, and the societal impacts associated with failing to address these problems and establishes a program focused upon addressing dog and cat population control by providing a means by which population control measures may be financed.

(2) The purpose of the Animal Population Control Program is to assist low-income residents and low-income communities. The Animal Population Control Program's goals include minimization of:

(a) population growth among stray and unwanted cats and dogs; and

(b) stray and unwanted cats and dogs entering animal shelters; and

(c) cat and dog euthanasia rates; and

(d) animal-inflicted injuries to humans (e.g. bites); and

(e) threats to public health and safety (e.g. from rabies and vehicular accidents).

3. Funding

(1) A Spay/Neuter Fund shall be established for the purpose of funding the Animal Population Control Program.

(2) All monies received by the Administrator in accordance with the authority provided by this bylaw shall be deposited into a separate, non-lapsing account and shall be dedicated for use by the Administrator exclusively for veterinarian reimbursement and administration costs associated with the Program and set forth in this section

(3) All interest earnings shall be credited to the assets of the Fund and shall become part of the Fund.

(4) Any balance remaining in the Fund at the end of any fiscal year shall be carried forward for the next fiscal year for this Program.

(5) The Fund shall be created from a combination of the following:

(a) a ___-dollar surcharge shall be added to each licence sold [or alternatively, to each rabies shot administered] in the municipality of _____ on or after January 1, _____.

(b) The surcharge shall be deposited in the Fund's account and shall become part of the Fund's corpus.

[The BC SPCA recommends that a $5-10 surcharge be added, unless licensing compliance in the municipality is strong enough to support an adequate fund with a lower surcharge rate. Alternatively, a surcharge can be added only to the licence fee for unsterilized animals, and at a higher rate (e.g. $10-20.)]

(6) Soliciting and accepting funds from public or private sources:

(a) The Administrator is authorized to solicit and accept donations, grants, gifts, and bequests of money, property or personal services from individuals and/or organizations including, but not limited to, private foundations or alliances, non-public agencies, institutions, organizations or businesses. All funds generated shall be retained by the Administrator in order to defray costs associated with the Animal Population Control Program and any volunteer and community service activities and events of the Animal Population Control Program. Funds received will not be used for employee salaries or benefits. All funds received are subject to audit by the municipality

(b) Any misnomer shall not defeat or annul any gift, grant, devise or bequest to the Administrator if it sufficiently appears by the will, conveyance or other writing that the party making the same intended to pass and convey thereby to the Administrator, the property, estate or interest therein expressed or described.

(c) Any property, real or personal, acquired by the Administrator on behalf of the Animal Population Control Program may be used solely for purposes related to the goals of the Animal Population Control Program or, at the discretion of the Administrator, sold at public auction to raise funds to support the Animal Population Control Program.

(d) All money donated or bequeathed to the Administrator or otherwise received hereunder shall be deposited with the Secretary of Finance and shall be appropriated semi-annually to the Administrator for purposes of the Animal Population Control Program.

4. Eligibility

(1) The proceeds of the Spay/Neuter Fund outlined in this Subchapter shall be available to those parties qualifying for participation under the following eligibility requisites:

(a) a person must be an adult (18 years or older) and:

i. be a resident of the municipality of _____; and

ii. be the owner or keeper of the cat or dog being spayed or neutered by a participating veterinarian or clinic and shall; and

iii. establish proof of being a recipient of one (1) of the following income assistance programs:

[eligible programs, such as Canada Income Assistance, to be determined by the municipality]; and

iv. establish further proof of identity through photo identification; or

(b) an organization which establishes proof of being an animal welfare, animal rescue and/or animal humane organization registered as a charity and operating in the municipality of _____;

(2) The first two (2) year's fiscal allotment shall be divided by the Administrator as follows:

(a) 75% of the funding shall be dedicated to subsidizing the cost of sterilizing domesticated animals owned by those participants qualifying under the terms set forth in section 4(1)(a) above.

(b) 25% of the funding shall be dedicated to subsidizing the cost of sterilizing those abandoned/free-roaming/homeless/stray/feral/unwanted animals located in communities by participants qualifying under 4(1)(b) above.

(3) An individual seeking a low-income subsidy pursuant to the requisites of 4(1)(a) shall be limited to three such procedures per fiscal year and shall be ineligible to seek additional funding by participating in the Program under the terms set forth in 4(1)(b) above.

(4) Those organizations participating in the Program subject to the parameters of 4(1)(b) above shall be limited to a maximum of 25 spay/neuter/inoculation procedures per fiscal year per organization.

(5) The division of the Program's fiscal allotment established above shall be re-evaluated by the Administrator after two (2) years.

5. Enforcement, Violations, and Penalties

(1) The Administrator shall adopt regulations pursuant to this bylaw relative to:

(a) Format and content of all forms required under this bylaw;

(b) Proof of eligibility under 4(1).

(c) Administration of the Fund established under 4(2).

(d) Any other matter necessary for the administration of the Animal Population Control Program and Spay/Neutering Fund established under this bylaw.

(2) Any person who knowingly falsifies proof of eligibility for, or participation in, any program established under bylaw, or who knowingly furnishes any licensed veterinarian with inaccurate information concerning ownership of a cat or dog submitted for sterilization, or who falsifies an animal sterilization certificate shall be guilty of an unclassified misdemeanor and shall be subject to a minimum mandatory fine, which shall not be subject to suspension, of $250.00.

(3) All fines collected in association with this section shall be deposited in and become a part of the Fund , shall be invested with the proceeds thereof and the monies earned therefrom, together with other interest income generated by the Fund shall be disbursed according to the guidelines and process elaborated in Section 4 above.

6. Program Administration

(1) The Administrator shall administer the Program and shall be responsible for:

(a) distributing, collecting and compiling all forms, including but not limited to, veterinarian participation agreements, sterilization and immunization certifications, and creating a database there from for enforcement and accountability purposes; and

(b) maintaining a list of participating veterinarians; and

(c) determining keeper/owner eligibility; and

(d) collecting co-payments; and

(e) obtaining the maximum number of spay/neuter/inoculation procedures available to the Program's financial parameters per calendar year.

(2) Veterinarian reimbursement shall be through the Administrator.

Sources:

1. State of New Hampshire. Title XL: Agriculture, Horticulture, and Animal Husbandry – Chapter 437-A. Animal Population Control legislation.

2. State of Delaware. Title 3. Agriculture. Domestic and Foreign Animals, Birds, Reptiles and Insects. Ch. 82 – Rabies Control in Aniaml and Human Population. Subchapter II – Animal Population Control Program and Spay/Neuter Fund.

APPENDIX – REVIEW OF MUNICIPAL ANIMAL BYLAWS IN BC

Animal Control: Dogs vs. Cats

The table below lists bylaws in existence in B.C.'s 25 largest municipalities, plus an additional 18 municipalities with BCSPCA Branches. Each bylaw imposes various restrictions on the ownership of dogs and cats.

	BYLAW NUMBERS BY MUNICIPALITY (e.g. # 0000)				
Municipality	Dog Licensing[A]	Cat Registration, Licensing, or Mandatory ID	Dog May Not Roam at Large	Cat May Not Roam at Large	Unsterilized Cat May Not Roam At Large[B]
100 Mile House	1131	-	1131	1131	-
Abbotsford	268	-	1132	1132	-
Burnaby	9609		9609		
Campbell River	3261	-	3261	-	-
Chilliwack	3400	-	3400	-	-
Comox	1322	-	1322	-	-
Coquitlam	4240	4240	4240	-	4240
Courtenay	1897	-	1897	-	-
Cranbrook	3555	-	3555	-	-
Dawson Creek	4122	-	4122	-	-
Delta	6893	6893	6893	-	6893
Fort St. John	1437	-	1437	-	-
Grand Forks	-	-	-	-	-
Kamloops	3442	3411	3442	-	-
Kelowna[C]	366	-	366	-	-
City of Langley	2622	-	2622	-	-
Maple Ridge	4524	5756	4524	-	5756
Mission	1782	1782	1782	-	1782
Nanaimo	4923	-	4923	-	-
Nelson	2333	-	2333	2333	-
New Westminster	7037	7037	7037	7037	7037
North Cowichan	2856	-	2856	-	-
North Vancouver	8113	7105	8113	-	7105
Parksville	1284	-	1284	-	-
Penticton	4	-	4	-	-
Port Alberni	4593	-	4593	-	4593
Port Coquitlam	3670	-	3670	-	-
Port Moody	2677	2677	2677	-	2677
Powell River	1979	-	1979	-	-
Prince George	7771	-	7771	7771	-
Prince Rupert	3250	-	3250	3250	-
Quesnel	1700	-	1700	-	-
Richmond	7932	7932	7932	-	7932

BYLAW NUMBERS BY MUNICIPALITY (e.g. # 0000)

Municipality	Dog Licensing[A]	Cat Registration, Licensing, or Mandatory ID	Dog May Not Roam at Large	Cat May Not Roam at Large	Unsterilized Cat May Not Roam At Large[B]
Saanich	8556	-	8556	-	-
Salmon Arm	2398	-	2398	-	-
Squamish	2124	-	2124	-	-
Surrey	13880	13548	1669	1669	13548
Trail	2436	-	2436	-	-
Vancouver	9150	-	9150	-	-
Vernon[D]	2466	-	2466	-	-
Victoria	11044	-	11044	11044	-
West Vancouver	4545	-	4545	-	-
Williams Lake	2102	-	2102	-	-

A All but 4 of the listed municipalities offer discounted licences for dogs that have been spayed or neutered. The municipalities that do not are Alberni-Clayoquot, Nanaimo, North Cowichan, and Powell River.

B These bylaws prohibit owner/guardians from allowing non-sterilized cats to run at large, and require (with the exception of the District of Mission) that non-sterilized cats be licensed as breeding animals.

C Regional District of Central Okanagan

D Regional District of North Okanagan

Animal Control: Dogs vs. Cats

Research on the human relationship with animals has revealed that dogs are more highly valued in society than cats. In British Columbia, the amount of cats that enter our BC SPCA shelters is almost always higher than the amount of dogs. In one community, our shelters took in 6 times the number of cats as dogs in 2011. Across our entire shelter system, we receive 1.6 times as many cats as dogs.

Across B.C. in 2014, approximately 72% of stray dogs are reclaimed by owners from the BC SPCA. On the contrary, approximately 14% of stray cats are reclaimed by their owners. This is evidence of both cat overpopulation and the low value of cats in our society. Many cat owners do not have identification for their cats because they stay indoors and owners do not think it is possible for their cat to get lost. However, a study in 2007 found that 41 per cent of people looking for their lost cats considered them to be "indoor only" pets. The same study also found that lost neutered cats were significantly more likely to be recovered than were lost sexually intact cats. This means that lost, sexually intact cats are contributing to cat overpopulation.

Municipal bylaws have the power to change these figures. Enforced mandatory cat identification, one time registration, and annual licensing, have all been shown to increase the reclaim rates of cats. Enforced mandatory spay/neuter with a low-cost spay/neuter fund, when paired with bylaws that prohibit the roaming of unsterilized cats, has led to a demonstrated decrease in cat overpopulation in many communities. Providing cats with breakaway collars and a visible ID tag has also been successful in reuniting cats with their homes.

Municipalities must take responsibility for cat overpopulation or the problem will become even worse. The costs of coping with cat overpopulation are much higher than initiating programs to have all pets spayed or neutered. In New Hampshire, it is estimated that the state's program to end pet overpopulation has resulted in savings to taxpayers of $3.23 for every dollar spent on the subsidized sterilization program.

Basic Standards of Care and Housing

The table below lists bylaws in existence in BC's 25 largest municipalities, plus an additional 18 municipalities with BCSPCA Branches. Each bylaw imposes different requirements for the care and housing to be provided for any animal within the municipality.

BYLAW NUMBERS BY MUNICIPALITY (e.g. # 0000)

	Basic Animal Care and Housing Requirements to be Provided By:				
Municipality	Basic Care [A]	Outdoor Shelter [B]	Choke Safety [C]	Ventilation [D]	Transportation [E]
Burnaby	9609	9609	9609	9609	9609
Coquitlam	4240	4240	4240	4240	4240
Cranbrook	3555	3555	3555	3555	3555
Dawson Creek	4122	4122	4122	-	-
Delta	6893	6893	6893	6893	6893
Kamloops	3411	-	-	-	-
Kelowna	-	-	366[F]	-	-
City of Langley	2622[G]	2622[G]	2622[G]	2622[G]	-
Maple Ridge	4524	4524	4524	4524	4524
Nelson	-	-	2333[F]	-	-
New Westminster	7037	7037	7037	7037	7037
North Cowichan	-	-	-	-	-
North Vancouver	8113	8113	8113	8113	8113
Penticton	4G	4G	4[G]	-	-
Powell River	1979	1979	1979	1979	-
Port Alberni	4593	-	-	-	-
Prince Rupert	3250	3250	3250	3250	3250
Quesnel	1700	-	-	-	-
Richmond	7932	7932	7932	7932	-
Saanich	8556	8556	8556	8556	-
Squamish	2124	2124	-	2124	-
Surrey	1669	1669	1669	1669	1669
Vancouver	9150	-	9150	9150	9150
Victoria	11044	11044	11044	11044	11044
West Vancouver	4545	4545	4545	4545	4545
Williams Lake	2102	-	-	-	-

A typical bylaw in this category:

[A] Mandates that an animal is given sufficient water, food, exercise, and veterinary care.

[B] Mandates standards for the temperature, size, and cleanliness of an outdoor shelter.

[C] Mandates that animals are not tethered with choke, chain, or prong collar, or a rope or cord tied around the neck of the animal.

[D] Mandates that an animal kept in an enclosed space, including a vehicle, has adequate ventilation.

[E] Mandates that an animal outside the passenger compartment of a vehicle be confined or secured.

[F] These bylaws differ from the norm: they require that, if an animal is tethered, it is on a lead of at least 3m.

[G] These bylaws apply only to dogs.

Many BC municipalities are entirely without bylaws that designate basic standards of care and housing for animals in any form. Of those surveyed, they include:

100 Mile House	Campbell River	Fort St. John	Nanaimo	Port Moody	Trail
Abbotsford	Chilliwack	Grand Forks	Parksville	Prince George	Vernon
	Comox	Mission	Port Coquitlam	Salmon Arm	

Tethering Standards

Many dogs in B.C. are left tied up outside. Some just during the day, others for their entire lives. The CVMA *Code of Practice for Canadian Kennel Operations* states that the "tethering of dogs (i.e., chains or ropes used to tie the animal to an immoveable object such as a stake or building) as a primary method of confinement is not acceptable" (CVMA, 2007). The Association of Shelter Veterinarians' *Guidelines for Standards of Care in Animal Shelters* states, "tethering is an unacceptable method of confinement for any animal" (Association of Shelter Veterinarians, 2010).

In British Columbia, there is no provincial law against the permanent tethering of animals. Some municipalities have taken the lead on creating bylaws which provide for the welfare of animals. These initiatives regulate the time, type, and method of tethering.

- In Port Hardy, Pemberton, Valemont, and Sechelt, one may tether a dog a maximum of 6 hours in a 24-hour period.
- In Oliver, one may tether a dog at a maximum of 6 hours straight and 9 hours in a 24-hour period.
- In Delta, Surrey and the 4 municipalities of the Central Okanagan Regional District (Kelowna, Lake Country, Peachland and West Kelowna) one may tether a dog a maximum of 4 hours in a 24-hour period.
- In Lions Bay and New Westminster, one may **not** tether **unattended dogs**.
- In Burnaby and Terrace, one may **not** tether **unattended dogs for more than 1 hour in a day**.
- In Chilliwack, Dawson Creek, Harrison Hot Springs Northern Rockies, Qualicum Beach, Squamish and the Capital Regional District (including Highlands, Langford, Sidney, North Saanich, Sooke and Victoria), one may not keep any animal hitched, tied or fastened to a fixed object as the primary means of confinement for **an extended period of time**.
- In Chetwynd, no animal may be hitched, tied, fastened to a fixed object or confined to an area on **unoccupied property**.
- In Whistler, one may tether a dog for 23 hours out of every 24 hours.

In the remaining 133 municipalities and 25 regional districts in BC, there are no limits on the time an animal is tethered.

The BC SPCA strongly opposes the indiscriminate chaining, or other methods of tethering dogs, without due regard for their physical and/or psychological well being.

We understand that some people like to spend time in their yard with their dog on a long lead. Responsible animal guardians should not be punished by restrictive bylaws. However, no dog should go unmonitored on a lead: there are documented cases of strangulation, injury to limbs due to entanglement, and escape. We support the bylaws enacted in Lions Bay and New Westminster and encourage all municipalities to adopt bylaws that prevent the cruel tethering of dogs.

Wild/Exotic Animals and Animal Performances

In 2009, the B.C. Ministry of Environment introduced the *Controlled Alien Species (CAS) Regulation* (S.6.4-6.5 *Wildlife Act*) that controls the breeding, shipping and possession of over 1,200 alien animals (i.e., exotic animals in B.C.) that pose a risk to the health or safety of humans.

The table below lists the existing animal bylaws in 65 B.C. municipalities, including the largest and those that have a BC SPCA branch.

	Exotic/Wild Animal Restrictions Bylaw Number, Section (Date)			
Municipality	Sale	Ownership	Performance or Entertainment	Other
100 Mile House		#1131, (2008)		
Abbotsford		#1132-7, (2002)[2] #2210, (2013)[2]	#1132-7.2,(2002)	Staff Report No. EDP091, 2013-sale of turtles
Burnaby	#9609, (1991)	#9609, (1991)	#9609, (1991)	
Campbell River	#3250-6.3, (2013)	#3250-12.1, (2013)		
Creston		#1406-2, (1997)[3]		
Central Saanich		#1471-8, (2003)		
Chilliwack		#1206-38, (2013)	#2653,(1999)	
Coquitlam	#3838, (2009)	#3838, (2009)[6]	#3838, (2009)	
Courtenay	#1897, (1996)	#1897,(1996)	#1897, (1996)	
Cranbrook		#3761,(2012)[1] #3555-606[1]		
Delta	#1745, (1971)[3]		#4884, (1992)	
Esquimalt		#2495-65,(2002)	#2495-19, (2002)[5] #2494-64, (2002)[5]	Council considering a draft updated Animal Control Bylaw, #2841 (07- 2014)
Fort St. James		#833-5.4, (2006)[1]		
Grand Forks			#1885, (2009)	
Highlands			#1465-311, (2008)	
Kamloops	#34-37,(2009)	#34-11, (1981)[1] #34-37, (2009)[1]	#34-37, (2009)	
Kaslo		#2001, (2010)[3]		
Kelowna		#1028, (2003)[4]	#1028, (2003)[4]	
Langley (City)	#2916-36, (2014)[3]			
Langley (Township)	#3641, (1994)		#3461, (1994)	
Maple Ridge	#6908-9, (2012)	#6908-9, (2012)[1]	#6908-9, (2012)	
Nanaimo			#4504, (1992)	
New Westminster	#7586-10.9, (2013)	#7586-10.9, (2013)	#7586-10.8, (2013)	
North Cowichan		#2856-46-47, (1995)[3]	#3048-50, (2000)[5]	
North Saanich		#751-8, (1993)[1]	#932, (1993)[5]	
North Vancouver	#7040-13, (1998)	#1661, (1944)	#7584, (2004)	

Exotic/Wild Animal Restrictions
Bylaw Number, Section (Date)

Municipality	Sale	Ownership	Performance or Entertainment	Other
North Vancouver (District)			#6423, (1992)	
Oak Bay		#4013-20, (1999)	#4013-25, (1999)	
Parksville			#199, No.1114, (1992)	
Port Coquitlam		#3670, (2009)[3,6]		
Powell River		#1979, (2003)[2]		
Prince George			#8101, (2007)	
Richmond	#7538-12.8.1, (2007)	#7932, (2005)[1]		
Saanich		#8556, (2004)[1]	#6669, (1991)[5]	
Salmon Arm			#2929, (1999)	
Sidney		#1965, (2010)[1]	#1668, (2001)	
Sooke		#392-51, (2009)		
Surrey	#8369-(1985)[3] #15199,(2003)	#1669, (1958)[1]	#11767,(1994)	
Tofino		#866, (2001)[2]		
Vancouver	#5156, (2013)	#9150-7, (2014)	#6940, (1992)	
Victoria			#92-189, (1992)[3]	
View Royal		#614-8.16, (2005)		
West Vancouver	#4455-7.7, (2005)[3]	#4545, (2008)	#4455-7.5, (2005)[5]	
White Rock	#1510,(1989)[3]	#1959-7,(2012)		
Whistler		#1555-24A, (2001)		
Williams Lake			#1523-0800,(1995)[5]	

Footnotes:

[1] = Ownership of wild or exotic animals may be permitted by meeting requirements in bylaw, or by having a licence/permit, or with approval from council/Bylaw Enforcement Officer

[2] = Ownership of exotic animals or wild animals permitted on agriculturally zoned land

[3] = Prohibits/restrictions for only specific animal species group(s)

[4] = Regional or Central District of area

[5] = Permits the use of animals in a public performance only when a fee is paid, or have a licence/permit, or approval by Park Board/Commission/bylaw for specific species or public performance (e.g., rodeo, circus)

[6] = Grandfathering clause

Many BC municipalities are entirely without bylaws that restrict either animal performances or the sale or ownership of exotic/wild animals and rely solely on CAS for legislation. They include the following 19 municipalities:

Alberni-Clayoquot RD
Colwood
Comox
Fort St. John
Gibsons
Haida Gwaii
Langford
Metchosin
Nelson
Penticton
Port Alberni
Port Moody
Prince Rupert
Quesnel
Saltspring Island
Sechlet
Squamish
Trail
Vernon

BCSPCA

SPEAKING FOR ANIMALS

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BCSPCA
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Charitable Registration # BN 11881 9036 RR0001

November 22, 2016

Jas Rehal
City of Surrey
13450 104th Ave
Surrey, BC, Canada
V3T 1V8

Dear Jas Rehal:

Re: City of Surrey Dog Licensing & Responsibility Bylaw

Thank you for your request regarding the BC SPCA's position on breed specific legislation. Our official position is enclosed, and can also be accessed at: http://www.spca.bc.ca/assets/documents/welfare/position-statements/dangerous-dogs.pdf. I have included some additional context here for your consideration specific to Surrey's animal control bylaw and have also enclosed our complete Model Animal Responsibility Bylaw for reference.

As an evidence-based organization, the BC SPCA strives to ensure our positions reflect current peer-reviewed scientific studies relevant to our field. In this context, a recent study by Voith (2013)[1] found that breed labels assigned to dogs of unknown origin are often inaccurate. According to Voith in an earlier 2009 study[2], "*The discrepancy between breed identifications based on opinion and DNA analysis, as well as concerns about reliability of data collected based on media reports, draws into question the validity and enforcement of public and private policies pertaining to dog breeds.*"

The BC SPCA does not support breed specific legislation, and evidence indicates that where enacted, it proves ineffective at addressing the serious underlying problem of inattentive and reckless dog owners.

A more effective approach with demonstrated efficacy at decreasing dog bites is to a) encourage responsible dog guardianship through a proactive education and licensing program and b) having a graduated scale for assessing dogs involved in bite incidents, such as in the City of New Westminster.

We believe the bylaw in New Westminster is highly effective because although it may only be a small infraction, dogs that display any aggressive behaviour receive a designation. The guardian of the animal may later apply for an appeal to remove the

[1] Voith, V.L., Trevejo, R., Dowling-Guyer, S., Chadik, C., Marder, A., Johnson, V., & Irizarry, K. (2013). Comparison of Visual and DNA Breed Identification of Dogs and Inter-Observer Reliability. American Journal of Sociological Research, 3(2), 17-29.
[2] Voith, V.L., Ingram, E., Mitsouras, K., & Irizarry, K. (2009). Comparison of adoption agency breed identification and DNA breed identification of dogs. Journal of Applied Animal Welfare Science, 12(3), 253-262.

designation once they have proof of having worked with a trainer to adequately address the aggressive behaviour.

The City of Surrey already offers graduated license costs for spayed and neutered dogs. This differential has proven to be effective policy. With a targeted canvassing and appropriate education messaging, it can ensure more dogs are neutered, subsequently decreasing aggression and the likelihood of bites for all breeds.

The City of Surrey also has animal care standards within its animal control bylaws, and you should be congratulated for this. These, when enforced, can also provide prevention of dog bites. Dogs suffering with untreated medical issues, severely matted hair, or a lack of adequate food, water, and shelter and kept primarily on a tether with no exercise or social interaction are in vulnerable states and may be at more risk of biting.

I look forward to furthering dialogue on these matters to help arrive at an updated bylaw that will best protect the residents of Surrey and their animal companions. For additional questions, please contact my lead staff on this matter, policy and outreach officer, Amy Morris, at amorris@spca.bc.ca or 604-647-5503.

Sincerely,

Craig Daniell
Chief Executive Officer

BCSPCA

BRITISH COLUMBIA
SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

POSITION STATEMENT

DANGEROUS DOGS AND PUBLIC SAFETY

The BC SPCA recognizes that inappropriate aggression by dogs against people and other animals is a serious threat to public safety, and that this issue must be addressed if we are to create humane societies where humans and dogs co-exist and enrich each other's lives. The BC SPCA opposes breed banning as a strategy for addressing incidents of aggression and reducing dog bites. Rather, the Society believes that the most effective way to address public safety concerns is for humane organizations, other animal stakeholder organizations, municipalities and the provincial government to work together on multi-faceted strategies that identify and address dangerous dogs of all breeds.

Approved by the Board of Directors – October 2004

BACKGROUND

SUGGESTED STRATEGIES

Successful models for dealing with canine aggression do exist in other countries. These models focus on legislation, education and the creation of remedial resources for aggressive dogs. The BC SPCA believes the most effective approach to dealing with the issue of inappropriate canine aggression in our communities is to develop an approach based on these models. Strategies may include:

Legislation

- Development and enforcement of harmonized animal control bylaws which promote spaying and neutering, make pet identification mandatory, restrict the keeping of backyard dogs and place the burden of responsibility for an animal's actions on the guardian, not the dog;

- Creation of tougher laws to address the animal neglect that contributes to canine aggression;

- Development of effective licensing schemes that regulate breeding facilities, pet shops, trainers and others in the animal sector who influence canine behaviour;

- Registration of aggressive dogs through reporting by veterinarians, groomers, police, postal carriers, animal control officers, meter readers, and humane

organizations;

- Creation of a centralized, accessible database that accurately records dog bite incidents;

- Promotion of mandatory remediation by certified specialists for dogs reported as dangerous;

Education and remediation

- Commitment to education on responsible pet guardianship, canine behaviour and dog bite prevention;

- Creation of resources for guardians of dogs with aggression problems, including the identification and certification of specialists who can provide remedial measures for canine aggression.

Note: It is essential that sufficient resources be allocated to ensure that the strategies outlined above can be implemented and enforced effectively.

ADDRESSING THE ROOT CAUSES OF AGGRESSION

The BC SPCA believes it is important that any approach to the issue of dangerous dogs consider the range of factors which play a key role in canine aggression, including:

- **Genetic factors:** Fearful and aggressive dogs are more likely to have aggressive offspring than other dogs, regardless of the breed.

- **Sexual status:** Un-neutered males are involved in 70-76 % of dog bite incidents. Un-spayed females encourage roaming and aggressive behaviour in males, regardless of breed.

- **Early experience:** Puppies are more likely to be aggressive if they are raised by irresponsible breeders who do not provide them with proper socialization and who later sell or give them away to people without proper matching or guardian education.

- **Later socialization, training and proper care:** Dogs are more likely to become dangerous if they live with irresponsible guardians who do not provide them with proper training, socialization, medical care and adequate living conditions.

- **Victim behaviour:** Some people get bitten because they are unfamiliar with canine behaviour and do not behave safely around dogs.

- **Lack of remedial expertise:** There is currently a lack of certified specialists available for pet guardians who are seeking help to remediate aggressive behaviour in their dog.

- **Unaddressed pain, injury and disease.**

BREED SPECIFIC LEGISLATION

The BC SPCA opposes breed specific legislation as a strategy for reducing inappropriate aggression and dog bites for the following reasons:

- Breed specific legislation ignores the fact that aggressive behaviour can occur in any breed and therefore does not protect the public.

- There are no efficient methods to determine a dog's breed in a way that can withstand legal challenge or be a foolproof method for deciding whether a guardian is in compliance or violation of laws. Any breed ban bylaw inevitably results in the creation of subjective, arbitrary factors to determine breed.

- Popularity of breeds changes over time -- what is identified as a "dangerous breed" today, may be different tomorrow. Some countries with breed laws now have upwards of 30 breeds on record, all of which require enforcement.

- People who want aggressive dogs simply switch to another breed or select a cross-breed that cannot effectively be identified as belonging to or looking like a specific breed. Breed specific restrictions in bylaws do nothing to discourage irresponsible behaviour by individuals who breed, train, sell or possess dangerous dogs not covered by the breed specific legislation.

- There is no reliable way to identify the number of dogs of a particular breed in the canine population at any given time making financial planning for enforcement of breed legislation nearly impossible.

- Breed specific legislation treads upon the rights of responsible dog guardians who cherish a non-aggressive pet whose breed may fall under the legislation. Conversely, the guardian of an aggressive pet whose breed does not fall within the legislation will not be subject to appropriate legislative remedies.

Background updated – November 2013